

A JOURNAL OF THE EXECUTIVE PROCEEDINGS OF THE SENATE,
21ST CONG., 1ST SESS.

[53d Ex. Sess.]

MONDAY, DECEMBER 14, 1829.

The following message was received from the President of the United States, by Mr. Donaldson, his secretary:

To the Vice-President of the United States and President of the Senate:

I nominate to the Senate J. Wambersie, a citizen of the United States residing at Rotterdam, as consul of the United States at that place, in the place of Emanuel Wambersie, deceased.

ANDREW JACKSON.

WASHINGTON, *December 14*, 1829.

The message was read.

The following message was received from the President of the United States, by Mr. Donaldson, his secretary:

To the Vice-President of the United States and President of the Senate:

In pursuance of the resolution of the Senate of the 2nd March, 1829, requesting the President of the United States to communicate to it "copies of the journal of the Commissioners under the first article of the Treaty of Ghent, for the months of October and November, 1817, or so much thereof as, in his opinion, may be safely communicated, not including the agreement or evidence offered by the agents," I have the honor herewith to transmit a report from the Secretary of State, accompanying the document referred to in said resolution.

ANDREW JACKSON.

NOVEMBER 14, 1829.

The message was read.

On motion by Mr. Holmes,

Ordered, That it be printed in confidence, with the accompanying documents, for the use of the Senate.

The following message was received from the President of the United States, by Mr. Donaldson, his secretary:

To the Vice-President of the United States and President of the Senate:

I transmit to the Senate, for their advice and consent as to the ratification of it, a treaty of commerce and navigation between the United States of America and His Majesty the Emperor of Austria, concluded and signed in this city on the 2d of August in the present year.

ANDREW JACKSON.

WASHINGTON, *14th December*, 1829.

The message and the accompanying treaty were read.

Ordered, That the treaty be referred to the Committee on Foreign Relations and be printed in confidence for the use of the Senate.

WEDNESDAY, DECEMBER 16, 1829.

The following messages were received from the President of the United States, by Mr. Donaldson, his secretary:

To the Senate of the United States :

I nominate Benjamin Edwards to be receiver of public moneys for the district of lands subject to sale at Edwardsville, in the State of Illinois, in the room of Emanuel J. West, resigned.

Also, Uriel Sebree to be receiver of public moneys for the district of lands subject to sale at Franklin, in the State of Missouri, in the room of Thomas Smith, resigned.

Also, Hilary B. Cenas to be register of the land office for the district of lands subject to sale at New Orleans, in the State of Louisiana, in the room of Isaac F. Preston, resigned.

Also, Joseph Dunbar, of Mississippi, to be surveyor of public lands, south of Tennessee.

ANDREW JACKSON.

WASHINGTON, *December 14, 1829.*

To the Senate of the United States :

I nominate Morton A. Waring to be marshal of the district of South Carolina, from the expiration of his present commission, on the 16th instant.

ANDREW JACKSON.

Washington, December 15, 1829.

The messages were severally read.

Ordered, That the message nominating J. Wambersie be referred to the Committee on Commerce.

THURSDAY, DECEMBER 17, 1829.

The Senate proceeded to consider the message nominating Morton A. Waring to office ; and

Resolved, That they advise and consent to the appointment of Morton A. Waring, agreeably to the nomination.

The Senate proceeded to consider the message nominating Benjamin Edwards and others to offices ; and

Resolved, That they advise and consent to the appointments of Benjamin Edwards, Uriel Sebree, Hilary B. Cenas, and Joseph Dunbar, agreeably to their respective nominations.

MONDAY, DECEMBER 21, 1829.

Mr. Woodbury, from the Committee on Commerce, to whom was referred, the 14th instant, the nomination of J. Wambersie, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of J. Wambersie, agreeably to the nomination.

TUESDAY, DECEMBER 22, 1829.

The following message was received from the President of the United States, by Mr. Donaldson, his Secretary :

To the Senate of the United States :

I herewith transmit two treaties, one concluded with the Winnebago tribe of Indians, at Prairie du Chien, on the first of August, 1829, and the other with the Chippewa, Ottawa, and Potawatamie tribes, at the same place, on the 29th of July, 1829; which, with the documents explanatory thereof, are submitted to the Senate for consideration whether they will advise and consent to their ratification.

ANDREW JACKSON.

DECEMBER 22, 1829.

The message, treaties, and accompanying documents were read.

Ordered, That the treaties be severally referred to the Committee on Indian Affairs, and be printed in confidence for the use of the Senate.

On motion by Mr. Holmes,

Ordered, That the injunction of secrecy be removed from the message of the President of the United States of the 14th instant, and the accompanying documents, communicated in compliance with a resolution of the Senate of the 2d March, 1829.

TUESDAY, DECEMBER 29, 1829.

The following message was received from the President of the United States, by Mr. Donaldson, his Secretary :

To the Senate of the United States :

I transmit herewith a treaty concluded with the Delaware tribe of Indians on the 3d of August, 1829; which, with the documents explanatory thereof, is submitted to the consideration of the Senate for their advice and consent as to the ratification of the same.

ANDREW JACKSON.

DEC'R 29, 1829.

The message, treaty, and accompanying documents were read.

Ordered, That they be referred to the Committee on Indian Affairs, and that the treaty be printed in confidence for the use of the Senate.

Mr. White, from the Committee on Indian Affairs, to whom was referred, the 22d December, the treaty with the Winnebaygo Indians, reported the same without amendment.

The said treaty was read the second time and considered as in Committee of the Whole.

On motion by Mr. Forsyth to strike out the 6th article,

The question was put, "Shall this article stand part of the treaty?" and

It was determined in the negative, { Yeas..... 12
Nays 25

Those who voted in the affirmative are,

Messrs. Bibb, Brown, Dudley, Frelinghuysen, Grundy, Hendricks, Kane, Ruggles, Sanford, Sprague, White, Woodbury.

Those who voted in the negative are,

Messrs. Barnard, Barton, Bell, Benton, Burnet, Chase, Clayton, Dickerson, Forsyth, Hayne, Holmes, Iredell, Johnston, King, Knight, McKimley, McLean, Marks, Noble, Robbins, Rowan, Seymour, Silsbee, Troup, Willey.

No further amendment having been made, the Vice-President reported that the Senate, acting as in Committee of the Whole, had had under consideration the treaty with the Winnebago Indians, and had made an amendment thereto, which he proceeded to state to the Senate, and again to put the question thereon:

Shall the 6th article, viz: "The said United States hereby agree (by the request of the said Indians) to appoint a subagent for them to reside on the waters of Rock River, and also to continue the present subagency at Fort Winnebago. But it is understood that the rejection of this article by the Senate is not to affect the validity of this treaty," stand part of the treaty?

It was determined in the negative, {	Yeas.....	12
	Nays	25

Those who voted in the affirmative are,
Messrs. Bibb, Brown, Dudley, Frelinghuysen, Grundy, Hendricks, Kane, Ruggles, Sanford, Sprague, White, Woodbury.

Those who voted in the negative are,
Messrs. Barnard, Barton, Bell, Benton, Burnet, Chase, Clayton, Dickerson, Forsyth, Hayne, Holmes, Iredell, Johnston, King, Knight, McKimley, McLean, Marks, Noble, Robbins, Rowan, Seymour, Silsbee, Troup, Willey.

Whereupon

Mr. White submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the treaty between the United States of America and the Winnebago Indians, concluded at the village of Prairie du Chien, on the 1st day of August, 1829, with the exception of the 6th article.

Mr. White, from the Committee on Indian Affairs, to whom was referred, the 22d instant, the treaty with the united nations of Chippewa, Ottawa, and Pattawatamie Indians, reported the same without amendment.

The said treaty was read the second time and considered as in Committee of the Whole; and no amendment having been made thereto, the Vice-President reported it to the Senate accordingly.

Whereupon

Mr. White submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the treaty between the United States of America and the united nations of Chippewa, Ottawa, and Pottawatamie Indians, concluded at Prairie du Chien, in the Territory of Michigan, the 29th day of July, 1829.

WEDNESDAY, DECEMBER 30, 1829.

The following message was received from the President of the United States, by Mr. Donaldson, his Secretary:

To the Senate of the United States:

I nominate to the Senate Richard W. Green, of Rhode Island, to be attorney for the United States for the district of Rhode Island, from the 29th of this month, when his late commission expired;

George Reed, jr., of Delaware, to be attorney of the United States for the district of Delaware, from the 8th of January next, when his present commission expires;

And Thomas Findlay, of Maryland, to be marshal of the United States for the district of Maryland, from the 21st of this month, when his late commission expired.

ANDREW JACKSON.

WASHINGTON, 30th December, 1829.

The message was read.

The Senate proceeded to consider the resolution submitted yesterday for the ratification of the treaty with the Winnebago Indians; and

On the question to agree thereto,

It was determined in the affirmative, { Yeas 38
Nay 1

Those who voted in the affirmative are,

Messrs. Barnard, Barton, Bell, Benton, Bibb, Brown, Burnet, Chase, Clayton, Dickerson, Dudley, Foot, Forsyth, Frelinghuysen, Grundy, Hendricks, Holmes, Iredell, Johnston, Kane, King, Knight, McKinley, McLean, Marks, Noble, Robbins, Rowan, Ruggles, Sanford, Seymour, Silsbee, Smith of Md., Sprague, Troup, White, Willey, Woodbury.

Mr. Smith, of S. C., voted in the negative.

So it was

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the treaty between the United States of America and the Winnebago Indians, concluded at the village of Prairie du Chien, on the first day of August, one thousand eight hundred and twenty-nine, with the exception of the 6th article.

Ordered, That the Secretary lay this resolution before the President of the United States.

The Senate proceeded to consider the resolution submitted yesterday for the ratification of the treaty with the united nations of Chippewa, Ottawa, and Pottawattamie Indians; and

On the question to agree thereto,

It was determined in the affirmative, { Yeas 35
Nay 1

Those who voted in the affirmative are,

Messrs. Barnard, Barton, Bell, Benton, Brown, Burnet, Chase, Clayton, Dickerson, Dudley, Foot, Forsyth, Frelinghuysen, Grundy, Hendricks, Holmes, Iredell, Johnston, Kane, King, Knight, McKinley, McLean, Marks, Noble, Robbins, Rowan, Sanford, Seymour, Silsbee, Smith of Md., Sprague, Troup, White, Woodbury.

Mr. Willey voted in the negative.

So it was

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the treaty between the United States of America and the united nations of Chippewa, Ottawa, and Pottawattamie Indians, concluded at Prairie du Chien, in the Territory of Michigan, the 29th day of July, 1829.

Ordered, That the President lay this resolution before the President of the United States.

THURSDAY, DECEMBER 31, 1829.

Mr. White submitted the following motion, which was considered and agreed to:

Resolved, That the original treaty with the Winnebago Indians and the original treaty with the Chippewa, Ottawa, and Pottawattamies, the ratifications of which were advised and consented to on the 30th instant, be delivered by the Secretary to the President of the United States.

Mr. White, from the Committee on Indian Affairs, to whom was referred, the 29th instant, the treaty with the Delaware Indians, reported the same without amendment.

The said treaty was read the second time and considered as in Committee of the Whole; and no amendment having been made, it was reported to the Senate accordingly.

Whereupon

Mr. White submitted the following resolution:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the treaty between the United States of America and the band of Delaware of Indians upon the Sandusky River, made at Little Sandusky, the 3d day of August, 1829.

The Senate proceeded to consider the resolution, by unanimous consent; and

On the question to agree thereto,

It was determined in the affirmative, yeas 37.

Those who voted are,

Messrs. Barnard, Barton, Bell, Benton, Brown, Burnet, Chase, Clayton, Dickerson, Dudley, Foot, Forsyth, Grundy, Hendricks, Holmes, Iredell, Johnston, Kane, King, Knight, McKinley, McLean, Marks, Noble, Robbins, Rowan, Ruggles, Sanford, Seymour, Silsbee, Smith of Md., Sprague, Troup, Webster, White, Willey, Woodbury.

Ordered, That the Secretary lay this resolution before the President of the United States.

On motion by Mr. White,

Ordered, That the treaty with the Delaware Indians be returned by the Secretary to the President of the United States.

The Senate proceeded to consider the message of yesterday nominating Richard W. Green and others; and

Ordered, That the nominations contained therein be referred to the Committee on the Judiciary.

MONDAY, JANUARY 4, 1830.

The following messages were received from the President of the United States, by Mr. Donaldson, his secretary:

To the Senate of the United States:

I nominate Hampton L. Boon to be register of the land office for the district of lands subject to sale at Franklin, in the State of Missouri, from the 24th of January, 1830, when the commission of Thomas Jefferson Boggs will expire.

I also nominate, for reappointment, the following registers and receivers of land offices, whose commissions will expire at the dates respectively affixed to their names:

Samuel Cruse, receiver of public moneys for the district of lands sub-

ject to sale at Huntsville, in the State of Alabama, 4th January, 1830.

George W. Ward, register of the land office for the district of lands subject to sale at Tallahassee, in the Territory of Florida, 4th January, 1830.

Valentine King, register of the land office for the district of lands subject to sale at Opelousas, in the State of Louisiana, 28th January, 1830.

John Caldwell, receiver of public moneys for the district of lands subject to sale at Shawneetown, in the State of Illinois, 19th February, 1830.

David Hoge, register of the land office for the district of lands subject to sale at Steubenville, in the State of Ohio, 19th February, 1830.

John B. Hazard, register of the land office for the district of lands subject to sale at St. Stephens, in the State of Alabama, 29th March, 1830.

ANDREW JACKSON.

WASHINGTON, *December* 31, 1829.

To the Senate of the United States:

I nominate, for reappointment, the following officers of the customs, whose commissions will expire at the dates respectively affixed to their names:

Elijah Hall, naval officer for the district of Portsmouth, N. H., 29th January, 1830.

Martin T. Morton, collector of the customs for the district and inspector of the revenue for the port of Nantucket, Mass., 28th January, 1830.

Reuben Moores, surveyor and inspector of the revenue for the port of Hudson, New York, 3rd January, 1830.

John S. Tapscott, surveyor and inspector of the revenue for the port of Yeocomico, Va., 3rd January, 1830.

Thomas H. Jervey, surveyor for the district and inspector of the revenue for the port of Charleston, S. C., 3d Jan'y, 1830.

Thomas L. Shaw, collector of the customs for the district and inspector of the revenue for the port of Georgetown, So. Ca., 3d January, 1830.

John S. Cogdell, naval officer for the district of Charleston, So. Carolina, 20th January, 1830.

Andrew Marschalk, surveyor and inspector of the revenue for the port of Natchez, Mi., 3d January, 1830.

Adam D. Stewart, collector of the customs for the district and inspector of the revenue for the port of Mechilimacinac, M. T., 28th January, 1830.

Joseph S. Pelot, naval officer for the district of Savannah, Georgia, 29th January, 1830.

ANDREW JACKSON.

WASHINGTON, *Dec'r* 31, 1829.

To the Senate of the United States:

I nominate Samuel Hall to be surveyor for the district and inspector of the revenue for the port of Portsmouth, New Hampshire, from the 29th of January, 1830, when the commission of James Ladd will expire.

John McNiel, jr. to be surveyor for the district of Boston and Charlestown, and inspector of the revenue for the port of Boston, Mass'tts, from the 29th of January, 1830.

Alphonso Mason to be surveyor for the district and inspector of the revenue for the port of Gloucester, Mass'tts, from the 29th of January, 1830, when the commission of Ebenezer Dale will expire.

Benjamin Knight to be collector of the customs for the district of

Marblehead, Massachusetts, from the 19th of February, 1830, when the commission of Benjamin Crowninshield will expire.

Mahlon D. Canfield to be collector of the customs for the district and inspector of the revenue for the port of Great Egg Harbour, N. J., from the 28th of January, 1830, when the commission of Gideon Leeds will expire.

ANDREW JACKSON.

WASHINGTON, *December 31, 1829.*

To the Senate of the United States :

I nominate Nicholas Biddle, George M. Dallas, William W. Richards, of Philadelphia, Pa., Benjamin Bailey, of New York, and John Donald, of Baltimore, to be directors of the Bank of the United States for one year, commencing on the first Monday of January, 1830.

ANDREW JACKSON.

JANUARY 4TH, 1830.

To the Senate of the United States :

I nominate for promotion and appointment in the Army of the United States the officers mentioned in the lists herewith transmitted, and each for the station affixed to his name.

ANDREW JACKSON.

JANUARY 4TH, 1830.

WAR DEPARTMENT, 31 *Dec'r*, 1829.

SIR: I have the honor to lay before you the annexed list of brevet promotions in the Army of the United States :

I have the honor to be, sir, with great respect, your obedient servant.
JNO. H. EATON.

To the PRESIDENT OF THE UNITED STATES.

(No. 1.)

ADJUTANT-GENERAL'S OFFICE,
Washington, 7th Dec'r, 1829.

BREVET PROMOTIONS IN THE ARMY OF THE UNITED STATES.

Brigadier-general by brevet.

Duncan L. Clinch, colonel 4th Regiment of Infantry, 20th April, 1819, to be brigadier-general by brevet, to take rank from 20th April, 1829, for faithful service ten years in one grade.

Colonel by brevet.

Zach. Taylor, lt.-colonel 1st Regiment of Infantry, 20th April, 1819, to be colonel by brevet, to take rank from 20th April, 1829, for faithful service ten years in one grade.

Lieut. colonel by brevet.

Samuel Babcock, major of the Corps of Engineers, 31st March, 1819, to be lieutenant-colonel by brevet, to take rank from 31st March, 1829, for faithful service ten years in one grade.

Fabius Whiting, captain 1 Regiment of Artillery, tenth September, 1819, to be major by brevet, to take rank from 10th September, 1829, for faithful service ten years in one grade.

Felix Ansart, captain 3d Regiment of Artillery, 28th Nov'r, 1819, to be major by brevet, to take rank from 28th Nov'r, 1829, for faithful service ten years in one grade.

Gustavus Loomis, capt. 1 Regiment of Infantry, 7th April, 1819, to be major by brevet, to take rank from 7th April, 1819, for faithful service ten years in one grade.

Thomas F. Smith, capt. 1 Regiment of Infantry, 25th April, 1819, to be major by brevet, to take rank from 25th April, 1829, for faithful service ten years in one grade.

Richard B. Mason, capt. 1 Reg't of Infantry, 31st July, 1819, to be major by brevet, to take rank from 31st July, 1829, for faithful service ten years in one grade.

Waddy V. Cobbs, capt. 2d Regiment of Infantry, 31st March, 1819, to be major by brevet, to take rank from 31st March, 1829, for faithful service ten years in one grade.

William Hoffman, capt. 2d Reg't of Infantry, 1st May, 1819, to be major by brevet, to take rank from 1st May, 1829, for faithful service ten years in one grade.

Greanleaf Dearborn, captain 2d Regiment of Infantry, 30th September, 1819, to be major by brevet, to take rank from 30th September, 1829, for faithful service ten years in one grade.

Joseph S. Nelson, captain 3d Regiment of Infantry, 13th August, 1819, to be major by brevet, to take rank from 13th August, 1829, for faithful service ten years in one grade.

Henry Wilson, captain 4th Regiment of Infantry, 20th April, 1819, to be major by brevet, to take rank from 20th April, 1829, for faithful service ten years in one grade.

Richard M. Sands, captain 4th Regiment of Infantry, 30th April, 1819, to be major by brevet, to take rank from 30th April, 1829, for faithful service ten years in one grade.

Captains by brevet.

Thomas J. Leslie, 1 Lt. Corps of Engineers, 31 March, 1819, to be captain by brevet, to take rank from 31st March, 1829, for faithful service ten years in one grade.

Walter Smith, 1 Lt. 1 Regiment of Artillery, 5th June, 1819, to be captain by brevet, to take rank from 5th June, 1829, for faithful service ten years in one grade.

James Simonton, 1 Lt. 1 Reg't of Artillery, 10th October, 1819, to be captain by brevet, to take rank from 10th October, 1829, for faithful service ten years in one grade.

Henry S. Mallory, 1 Lt. 2d Regiment of Artillery, 31 May, 1819, to be captain by brevet, to take rank from 31 May, 1829, for faithful service ten years in one grade.

William Wells, 1 Lt. 2d Regiment of Artillery, 28th August, 1819, to be captain by brevet, to take rank from 28th August, 1829, for faithful service ten years in one grade.

Frederick L. Griffith, 1 Lt. 2d Regiment of Artillery, 28th November, 1819, to be captain by brevet, to take rank from 28th November, 1829, for faithful service ten years in one grade.

James D. Graham, 1st Lt. 3d Reg't of Artillery, 8th September, 1819,

to be captain by brevet, to take rank from 8th September, 1829, for faithful service ten years in one grade.

John R. Vinton, 1st lt. 3d Regiment of Artillery, 30th September, 1819, to be captain by brevet, to take rank from 30th September, 1829, for faithful service ten years in one grade.

Richard B. Lee, 1 lt. 3d Reg't of Artillery, 31st October, 1819, to be captain by brevet, to take rank from 31st October, 1829, for faithful service ten years in one grade.

Charles Despinville, 1st lt. 4 Reg't of Artillery, 10th September, 1819, to be captain by brevet, to take rank from 10th September, 1829, for faithful service ten years in one grade.

Charles F. Morton, 1st lt. 2d Reg't of Infantry, 31st March, 1819, to be captain by brevet, to take rank from 31st March, 1829, for faithful service ten years in one grade.

Seth Johnson, first lieut. 2d Regiment of Infantry, 1st May, 1819, to be captain by brevet, to take rank from 1st May, 1829, for faithful service ten years in one grade.

William M. Graham, 1st lt. 4th Regiment of Infantry, 11th August, 1819, to be captain by brevet, to take rank from 11th August, 1829, for faithful service ten years in one grade.

First lieutenants by brevet.

Jacob A. Dumest, 2d lt. 2d Regiment of Artillery, 1st July, 1819, to be 1st lt. by brevet, to take rank from 1st July, 1829, for faithful service ten years in one grade.

Thomas P. Ridgely, 2d lt. 2nd Regiment of Artillery, 13th August, 1819, to be 1st lt. by brevet, to take rank from 13th August, 1829, for faithful service ten years in one grade.

WAR DEPARTMENT, 31st Dec'r, 1829.

SIR: I have the honor to lay before you the name of Trueman Cross, major in the staff and captain of infantry, for the brevet of major in the Army, for faithful service ten years in one grade. It appears, from the facts exhibited by the Adjutant-General to the Secretary of War, on the 2d of January last, that this officer was then entitled to brevet promotion, but his name at the time was omitted, accidentally, to be placed on the list of brevets, then and subsequently to the 4th of March, presented to the Senate for confirmation.

I am, sir, with great respect, y'r ob't serv't,

JNO. H. EATON.

To the PRESIDENT OF THE U. S.

(No. 2.)

ADJUTANT-GENERAL'S OFFICE,
Washington, 7th Dec'r, 1829.

BREVET PROMOTION IN THE ARMY OF THE UNITED STATES.

Trueman Cross, major in the staff and captain of infantry, to be major by brevet, to take rank from 16th June, 1828, having served faithfully as a captain, and performed the appropriate duties of that grade for ten years consecutively.

WAR DEPARTMENT, 31st December, 1829.

SIR: I have the honor to lay before you the annexed list of promotions and appointments made in the Army of the United States.

I have the honor to be, sir, with great respect, your obedient servant,
JOHN H. EATON.

(No. 3.)

ADJUTANT-GENERAL'S OFFICE,
Washington, 7th December, 1829.

PROMOTIONS AND APPOINTMENTS IN THE ARMY OF THE UNITED STATES.

Corps of Engineers.

Br. 2d Lt. Thompson S. Brown to be 2d lt., 1 July, 1825, vice Bache, resigned.

Second Reg't of Artillery.

2d Lt. George W. Whistler to be 1 lt., 16th August, 1829, vice Spencer, deceased.

Br. 2d Lt. Hugh W. Mercer to be 2d lt., 1 July, 1828, vice Wheelock, resigned.

Br. 2d Lt. Joseph L. Locke to be 2d lt., 1 July, 1828, vice Whistler, promoted.

Br. 2d Lt. Thomas B. Adams, to be 2d lt., 1 July, 1828, vice Hazzard, resigned.

Br. 2d Lt. John Mackay to be 2d lt., 1 July, 1828, vice Gird, resigned.

Third Regiment of Artillery.

2d Lt. George S. Greene to be 1 lt., 31 May, 1829, vice Phillips, resigned.

Br't 2d Lt. Robert E. Temple to be 1 lt., 31 May, 1829, vice Greene, promoted.

George E. Chase to be 2d lt., 1 July, 1828, vice Woodbridge, resigned.

Fourth Regiment of Artillery.

1 Lt. Patrick H. Galt, capt. by brevet, to be capt., 15th May, 1829, vice Spotts, resigned.

2d Lt. William Cook to be 1 lt., 15th May, 1829, vice Galt, promoted.

2d Lt. Walter Gwynn to be 1 lt., 19th Oct'r, 1829, vice Adams, deceased.

Br. 2d Lt. Charles O. Collins, 2d lt., 1 July, 1828, vice Cook, promoted.

Br. 2d Lt. John F. Lane, 2d, 1 July, 1828, vice Gwynn, promoted.

First Regiment of Infantry.

1 Lt. William R. Jouet to be captain, 1 May, 1829, vice Kearney, promoted.

1 Lt. Thomas Barker to be capt., 31 May, 1829, vice Ker, resigned.

2d Lt. William Reynolds to be 1 lt., 1 May, 1829, vice Jouett, promoted.

2d Lt. Albert S. Miller to be 1 lt., 31 May, 1829, vice Barker, promoted.

Br. 2d Lt. Jonathan K. Greenough to be 2d lt., 1 July, 1827, vice Reynolds, promoted.

Br. 2d Lt. Enos G. Mitchell to be 2d lt., 1 July, 1828, vice Miller, promoted.

Third Regiment of Infantry.

Captain Stephen W. Kearney, of the 1st Regiment of Infantry, major by brevet, to be major, 1 May, 1829, vice Baker, promoted.

Lt. Nathan S. Harris, to be 1 lt., 11th September, 1829, vice Hunt, deceased.

Lt. William S. Stillwell to be 2d lt., 1 July, 1827, vice Harris, promoted.

Fourth Regiment of Infantry.

2d Lieut. Lorenzo Thomas to be 1st lt., 17th March, 1829, vice Mountz, cashiered.

Br. 2d Lt. Nelson N. Clark to be 2d lt., 1 July, 1827, vice Thomas, promoted.

Sixth Regiment of Infantry.

Major Daniel Baker of the 3d Reg't of Infantry, lieut. colonel by brevet, to be lt.-col., 1 May, 1829, vice Woolley, dismissed.

1 Lt. George C. Hutter to be captain, 12th May, 1829, vice Gantt dismissed.

2d Lieut. Jas. Van Swearengen to be 1 lt., 12th May, 1829, vice Hutter, promoted.

Br. 2d Lt. Nath'l J. Eaton to be 2d lt., 1 July, 1827, vice Pearce, resigned.

Br. 2d Lt. Robert Sevier to be 2d lt., 1 July, 1828, vice Van Swearengen, promoted.

Seventh Regiment of Infantry.

Lt. Edgar S. Hawkins to be cap., 10th Nov'r, 1829, vice 1 Lt. Colquhoun (then entitled to promotion in the place of Captain Butler, resigned), cashiered.

2d Lt. John E. Newell to be 1 lt., 10 November, 1829, vice Hawkins, promoted.

2d Lt. Jasper Macomb, 1 lt., 10 November, 1829, vice Colquhoun, cashiered.

Br. 2d Lt. Stephen W. Moore to be 2d lt., 1 July, 1827, vice Newell, promoted.

Wm. W. Mather to be 2d lt., 1 July, 1828, vice Macomb, promoted.

Appointments.

Captain James H. Hook, of the 4th Reg't of Infantry, major by brevet, to be commissary, with the rank pay and emoluments as quartermaster, 10 March, 1829.

Captain Joseph P. Taylor, of the 2d Reg't of Artillery, to be commissary, with the rank, pay, and the emoluments of assistant quartermaster, 10th March, 1829.

Alphonso Wetmore to be paymaster, 11th Nov'r, 1829.

Benjamin F. Larned to be paymaster, 24th Nov'r, 1829.

Thomas J. Leslie, of the Corps of Engineers, to be paymaster, 27th November, 1829.

James B. Sullivan, Va., to be assistant surgeon, 5 May, 1829.

Samuel W. Dalton, Va., assistant surgeon, 16th July, 1829.

Ephraim M. Blaine, Pa., assistant surgeon, 17th Nov., 1829.

Cadet Charles Mason to be br. 2d lt. Corps of Engineers, 1 July, 1829.

Cadet Robert E. Lee, to be br. 2d lt. Corps of Engineers, 1 July, 1829.

Cadet Minor Knowlton to be br. 2d lt. 1 Reg't of Artillery, 1 July, 1829.

Cadet John F. Kennedy to be br. 2d lt. 1 Regiment of Artillery, 1 July, 1829.

Cadet John Mackay to be br. 2d lt. 2d Reg't of Artillery, 1 July, 1829.

Cadet John E. Casey to be br. 2d lt. 2d Reg't of Artillery, 1 July, 1829.

Cadet Ormsby McK. Mitchell to be br. 2d lt. 2d Reg't of Art'y, 1 July, 1829.

Cadet Joseph A. Smith to be br. 2d lt. 3d Reg't of Art'y, 1 July, 1829.

Cadet Catharinus B. Buckingham to be br. 2d lt. 3d Reg't of Artillery, 1 July, 1829.

Cadet Charles W. Hackley to be br. 2d lt. 3d Regiment of Art'y, 1 July, 1829.

Cadet Wm. R. McKee, to be br. 2d lt. 3d Reg't of Art'y, 1 July, 1829.

Cadet Gustavus Brown, to be br. 2d lt. 3d Reg't of Art'y, 1 July, 1829.

Cadet James Barnes to be br. 2d lt. 4th. Reg't of Art'y, 1 July, 1829.

Cadet Joseph B. Smith to be br. 2d lt. 4th Reg't of Art'y, 1 July, 1829.

Cadet Joseph E. Johnson to be br. 2d lt. 4th. Reg't of Art'y. 1 July, 1829.

Cadet Charles Petigru to be br. 2d lt. 4 Reg't of Art'y, 1 July, 1829.

Cadet Franklin E. Hunt to be br. 2d lt. 4 Reg't Art'y, 1 July, 1829.

Cadet Sidney Burbank to be br. 2d lt. 1 Reg't of Inf'y, 1 July, 1829.

Cadet Seth Eastman to be br. 2d lt. 1 Reg't of Inf'y, 1 July, 1829.

Cadet Thomas A. Davies to be br. lt. 1 Reg't of Inf'y, 1 July, 1829.

Cadet Joseph H. Pawling to be br. 2d lt. 1 Reg't of Inf'y, 1 July, 1829.

Cadet Geo. R. Sullivan to be br. 2d lt. 1 Reg't of Inf'y, 1 July, 1829.

Cadet Edward R. Williams to be br. 2d lt. 1 Reg't of Inf'y, 1 July, 1829.

Cadet Antes Snyder to be br. 2d lt. 2d Reg't of Inf'y, 1 July, 1829.

Cadet Edwin A. Long to be br. 2d lt. 2d Reg't of Inf'y, 1 July, 1829.

Cadet Rich'd B. Screven to be br. 2d lt. 2 Reg't of Inf'y, 1 July, 1829.

Cadet Lancaster P. Lupton to be br. 2d lt. 3d Reg't of Inf'y, 1 July, 1829.

Cadet Albert G. Blanchard to be br. 2d lt. 3d Reg't of Inf'y, 1 July, 1829.

Cadet Wm. H. Warfield to be br. 2d lt. 3d Reg't of inf'y, 1 July, 1829.

Cadet Benj. W. Brice to be br. 2d lt. 3d Reg't of Inf'y, 1 July, 1829.

Cadet Wm. H. Harford to be br. 2d lt. 4th Reg't of Inf'y, 1 July, 1829.

Cadet Thomas Swords to be br. 2d lt. 4 Reg't of Inf'y, 1 July, 1829.

Cadet Chileab S. Howe to be br. 2d lt. 4 Reg't of Inf'y, 1 July, 1829.

Cadet James Clark to be br. 2d lt. 4 Reg't of Inf'y, 1 July, 1829.

Cadet Robt. W. Burnet to be br. 2d lt. 4 Reg't of Inf'y 1 July, 1829.

Cadet Caleb Sibley to be br. 2d lt. 5 Reg't of Inf'y, 1 July, 1829.

Cadet James Allen to be br. 2d lt. 5 Reg't of Inf'y, 1 July, 1829.

Cadet Wm. Hoffman to be br. 2d lt. 6 Reg't of Inf'y, 1 July, 1829.
 Cadet Albemarle Cady to be br. 2d lt. 6 Reg't of Inf'y, 1 July, 1829.
 Cadet Jas. H. Wright to be br. 2d lt. 6 Reg't of Inf'y, 1 July, 1829.
 Cadet Jonathan Freeman to be br. 2d. lt. 6 Reg't of Inf'y, 1 July, 1829.

Cadet Charles May to be br. 2d. lt. 6 Reg't of Inf'y, 1 July, 1829.
 Cadet Geo. A. Sterling to be br. 2d lt. 7 Reg't. of Inf'y, 1 July, 1829
 Cadet John P. Davis to be br. 2d lt. 7 Reg't of Inf'y, 1 July, 1829.
 Cadet Theoph's H. Holmes to be br. 2d lt. 7 Reg't of Inf'y, 1 July, 1829

The messages were severally read.

Ordered, That the message nominating to promotions and appointments in the Army be referred to the Committee on Military Affairs.

On motion by Mr. Benton,

The Senate proceeded, by unanimous consent, to consider the message nominating Hampton L. Boon and others to offices; and

Resolved, That they advise and consent to the appointment of Hampton L. Boon, agreeably to the nomination.

On motion by Mr. Barton,

Ordered, That the nominations of Samuel Cruse, George W. Ward, Valentine King, John Caldwell, David Hoge, and John B. Hazard, contained therein, be referred to the Committee on Public Lands.

The following message was received from the President of the United States, by Mr. Donaldson, his Secretary:

To the Senate of the United States:

I transmit herewith a supplement to the treaty made with the Delaware tribe on the 3d of October, 1818, which, with the accompanying papers, is submitted to the Senate for their advice and consent as to the ratification of the same.

ANDREW JACKSON.

JAN'Y 4, 1830.

The message, treaty, and documents were read.

Ordered, That they be referred to the Committee on Indian Affairs, and that the treaty be printed in confidence for the use of the Senate.

TUESDAY, JANUARY 5, 1830.

The following messages were received from the President of the United States, by Mr. Donaldson, his Secretary:

To the Senate of the United States:

I nominate to the Senate Henry Baldwin, of the State of Pennsylvania, as one of the associate justices of the Supreme Court of the United States, in place of Bushrod Washington, deceased.

ANDREW JACKSON.

WASHINGTON, 4th Jan'y, 1830.

To the Senate of the United States:

Commissions having been granted during the recess of the Senate to the following persons, I now nominate them to the offices respectively annexed to their names:

George M. Dallas, of Pennsylvania, to be attorney of the United States for the eastern district of Pennsylvania, in place of Charles J. Ingersoll, removed.

William Fulton, of Alabama, to be secretary in and for the Arkansas Territory, in place of Robert Crittenden, removed.

John Patterson, of Ohio, to be marshal of the United States for the district of Ohio, in place of William Doherty, removed.

Samuel Herrick, of Ohio, to be attorney of the United States for the district of Ohio, in place of Joseph S. Benham, removed.

John M. Davis, of Pennsylvania, to be marshal of the United States for the western district of Pennsylvania, in place of Hugh Davis, removed.

Samuel Cushman, of New Hampshire, to be attorney of the United States for the district of New Hampshire, in place of Daniel M. Christie, removed.

Charles Slade, of Illinois, to be marshal of the United States for the district of Illinois, in place of Henry Conner, removed.

Samuel McRoberts, of Illinois, to be attorney of the United States for the district of Illinois, in place of Sydney Breeze, removed.

William Lyon, of Tennessee, to be marshal of the United States for the eastern district of Tennessee, in place of John Callaway, removed.

Zephaniah Drake, of New Jersey, to be marshal of the district of New Jersey, in place of Oliver W. Ogden, removed.

Garret D. Wall, of New Jersey, to be attorney of the United States for the district of New Jersey, in place of Lucius Q. C. Elmer, removed.

Samuel Judah, of Indiana, to be attorney of the United States for the eastern district of Indiana, in place of Charles Dewey, removed.

John G. Stower, of New York, to be attorney of the United States for the southern judicial district in the Territory of Florida, in place of William Allison McRea, removed.

Benjamin F. Linton, of Louisiana, to be attorney of the United States for the western district of Louisiana, in place of John Brownson, removed.

Elk. Hy. Duperier, of Louisiana, to be marshal of the United States for the western district of Louisiana, in place of Adrian Dumartrait, removed.

James A. Hamilton, of New York, to be attorney of the United States for the southern district of New York, in place of John Duer, removed.

James Collinsworth, of Tennessee, to be attorney of the United States for the western district of Tennessee, in place of Thomas Fletcher, resigned.

Asa Child, of Connecticut, to be attorney of the United States for the district of Connecticut, in place of Nathan Smith, removed.

John Speed Smith, of Kentucky, to be attorney of the United States for the district of Kentucky, in place of John J. Crittenden, removed.

John M. McCalla, of Kentucky, to be marshal of the United States for the district of Kentucky, in place of Chapman Coleman, removed.

Heman Lowry, of Vermont, to be marshal of the United States for the district of Vermont, in place of Joseph Edson, removed.

Daniel Kellog, of Vt., to be attorney of the United States for the district of Vermont, in place of William A. Griswold.

George Shannon, of Missouri, to be attorney of the United States for the district of Missouri, in place of Beverly Allen, removed.

William A. Harrison, of Va., to be attorney of the United States for the western district of Virginia, in place of Edwin S. Duncan, resigned.

Augustus Jones, of Missouri, to be marshal of the United States for the district of Missouri, in place of John Simonds, jun'r, removed.

ANDREW JACKSON.

The messages were read.

The Senate proceeded to consider the message nominating Nicholas Biddle and others to be directors of the Bank of the United States; and

Resolved, That they advise and consent to the appointment of Nicholas Biddle, agreeably to the nomination.

Ordered, That the nominations of George M. Dallas, William W. Richards, Benjamin Baily, and John Donald be referred to the Committee on Finance.

The Senate proceeded to consider the message nominating Elijah Hall and others to be officers of the customs.

On motion by Mr. Holmes,

Ordered, That it be referred to the Committee on Commerce.

The Senate proceeded to consider the message nominating Samuel Hall and others to be surveyors and collectors.

On motion by Mr. Holmes,

Ordered, That it be referred to the Committee on Commerce.

Mr. Barton presented the memorial of Beverly Allen, late attorney of the United States for the Missouri district, representing that he was appointed to the office of United States attorney the 3d day of March, 1827; that he has been since superseded without being apprised of the cause of his removal, and with a view to elicit the allegations which may have been made against him he appeals to the Senate.

The memorial was read.

Ordered, That it lie on the table.

On motion by Mr. Barton that the memorial be printed,

It was determined in the negative, {	Yeas	20
	Nays	22

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Barton, Bell, Burnet, Chambers, Chase, Clayton, Foot, Frelinghuysen, Hendricks, Holmes, Johnston Knight, Noble, Robbins, Rugles, Seymour, Silsbee, Sprague, Webster, Willey.

Those who voted in the negative are,

Messrs. Barnard, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hayne, Iredell, Kane, King, Livingston, McKinley, McLean, Rowan, Sanford, Smith of Md., Troup, White, Woodbury.

WEDNESDAY, JANUARY 6, 1830.

The following message was received from the President of the United States, by Mr. Donaldson, his Secretary :

To the Senate of the United States :

I withdraw the nomination of William W. Richards, of Phila., as one of the directors of the United States Bank, and nominate Benjamin W. Richards for said office; and correct the nomination of John Donald so as to read John S. Donnell.

ANDREW JACKSON.

JANUARY 5, 1830.

The message was read.

The Senate preceeded to consider the message of yesterday nominating Henry Baldwin to office; and

On the question, Will the Senate advise and consent to the appointment of Henry Baldwin?

It was determined in the affirmative, {	Yeas	41
	Nays	2

Those who voted in the affirmative are,

Messrs. Barnard, Barton, Bell, Benton, Bibb, Brown, Burnet, Chambers, Chase, Clayton, Dickerson, Dudley, Ellis, Foot, Forsyth, Frelinghuysen, Grundy, Holmes, Iredell, Johnston, Kane, King, Knight, Livingston, McKinley, McLean, Marks, Noble, Robbins, Rowan, Ruggles, Sanford, Seymour, Silsbee, Smith of Md., Sprague, Troup, Webster, White, Willey, Woodbury.

Those who voted in the negative are,

Mr. Hayne and Mr. Smith of S. C.

So it was

Resolved, That the Senate advise and consent to the appointment of Henry Baldwin, agreeably to the nomination.

On motion by Mr. Chambers,

Ordered, That the injunction of secrecy be removed from the proceedings thereon.

Mr. Smith, of Maryland, from the Committee on Finance, to whom were referred the nominations of George M. Dallas and others to be directors of the Bank of the United States, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of George M. Dallas, Benjamin Bailey, Benjamin W. Richards, and John S. Donnell, agreeably to their respective nominations.

Mr. Benton, from the Committee on Military Affairs, to whom was referred the message of the 4th instant nominating to promotions and appointments in the Army, reported in part.

Whereupon

Resolved, That the Senate advise and consent to the appointment of Alphonso Wetmore, Benjamin F. Larned, and Thomas J. Leslie, agreeably to their respective nominations.

The following motion was submitted by Mr. Barton:

Resolved, That the President of the United States be requested to inform the Senate of the United States the cause or causes of the removal of Beverly Allen, esqr., from the office of United States attorney for the district of Missouri.

The Senate proceeded to consider the resolution.

On motion by Mr. Dickerson,

The Senate adjourned.

TUESDAY, JANUARY 12, 1830.

The following message was received from the President of the United States, by Mr. Donaldson, his Secretary:

To the Senate of the United States Washington:

I nominate Charles R. Holmes, commissioned during the late recess of the Senate as appraiser of goods for the port of Charleston, S. C., for that office, in the room of John Gaillard, deceased.

I also nominate William E. Hayne to be appraiser of goods for the port of Charleston, S. C., in the room of Andrew Smylie, removed.

ANDREW JACKSON.

JAN'Y 6, 1830.

The message was read.

The Senate resumed the consideration of the motion submitted the 6th instant in relation to the removal of Beverly Allen from the office of United States attorney for the district of Missouri.

Whereupon

The following motion was made by Mr. Barton:

Resolved, That the memorial of Beverly Allen, late district attorney of Missouri, to the Senate, respecting his removal from that office, and the resolution of the 6th instant calling for information of the cause or causes of that removal, be transferred from the Executive to the Legislative Journal of the Senate.

On motion by Mr. Hayne,

Ordered, That the said motion lie on the table.

Mr. Woodbury, from the Committee on Commerce, to whom was referred, the 5th instant, the message nominating Elijah Hall and others to be officers of the customs, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointments of Elijah Hall, Martin T. Morton, Reuben Moores, John S. Tapscott, Thomas H. Jervy, Thomas L. Shaw, John S. Cogdell, Andrew Marschalk, Adam D. Stewart, and Joseph S. Pelot, agreeably to their respective nominations.

Mr. White, from the committee on Indian Affairs, to whom was referred, the 4th instant, the treaty with the Delaware Nation of Indians, reported the same without amendment.

The said treaty was read the second time; and

On motion by Mr. Woodbury,

Ordered, That it lie on the table.

Mr. Barton, from the Committee on Public Lands, to whom were referred, the 4th instant, the nominations of Samuel Cruse, George W. Ward, Valentine King, John Caldwell, David Hoge, and John B. Hazard, reported.

The Senate proceeded to consider the message of the 5th instant nominating George M. Dallas and others to offices.

On motion by Mr. Bibb,

The Senate adjourned.

THURSDAY, JANUARY 14, 1830.

The following message was received from the President of the United States, by Mr. Donaldson, his Secretary :

To the Senate of the United States :

Commissions having been granted, during the recess of the Senate to the following persons, for the offices respectively annexed to their names, I now nominate them to the same, viz :

Joshua Carpenter to be collector of the customs for the district of Penobscot and inspector of the revenue for the port of Castine, in the State of Maine, vice Samuel K. Gilman, removed.

William King to be collector of the customs for the district and inspector of the revenue for the port of Bath, in the State of Maine, vice John B. Swanton, removed.

John W. Smith to be surveyor for the district of Portland and Falmouth and inspector of the revenue for the port of Portland, in the State of Maine, vice James J. Boyd, deceased.

John P. Decatur to be collector of the customs for the district of Portsmouth, in the State of New Hampshire, vice Timothy Upham, removed.

Archibald W. Hyde to be collector of the customs for the district of

Vermont and inspector of the revenue for the port of Allburgh, in the State of Vermont, vice Charles K. Williams, resigned.

David Henshaw to be collector of the customs for the district of Boston and Charlestown, in the State of Massachusetts, vice Henry A. S. Dearborn, removed.

Lemuel Williams to be collector of the customs for the district and inspector of the revenue for the port of New Bedford, in the State of Massachusetts, vice Russell Freeman, removed.

John P. Boyd to be naval officer for the district of Boston and Charlestown, in the State of Massachusetts, vice Thomas Melville, removed.

Samuel Phillips to be collector of the customs for the district of Newburyport, in the State of Massachusetts, vice Solomon H. Currier, removed.

William Beach to be collector of the customs for the district of Gloucester, in the State of Massachusetts, vice William Pearce, removed.

John Swasey to be naval officer for the district of Salem and Beverly, in the State of Massachusetts, vice Henry Elkins, removed.

Timothy Souther to be collector of the customs for the district and inspector of the revenue for the port of Ipswich, in the State of Massachusetts, vice Asa Andrews, removed.

William Wood to be collector of the customs for the district and inspector of the revenue for the port of Dighton, in the State of Massachusetts, vice Seth Williams, removed.

William Baldwin to be surveyor for the district and inspector of the revenue for the port of New Haven, in the State of Connecticut, vice William H. Ellis, resigned.

Pierre A. Barker to be collector of the customs for the district and inspector of the revenue for the port of Buffalo Creek, in the State of New York, vice Myndert M. Dox, removed.

Samuel Swartwout to be collector of the customs for the district of New York, in the State of New York, vice Jonathan Thompson, removed.

Mordecai M. Noah to be surveyor for the district and inspector of the revenue for the port of New York, in the State of New York, vice Peter Stagg, removed.

Aaron Ogden to be assistant collector of the customs for the district of New York, to reside at Jersey City, in the State of New Jersey, vice John Condict, removed.

Jacob Gould to be collector of the customs for the district of Genesee and inspector of the revenue for the port of Rochester, in the State of New York, vice Jesse Hawley, removed.

Jere Carrier to be collector of the customs for the district and inspector of the revenue for the port of Cape Vincent, in the State of New York, vice John B. Esselstyn, removed.

Baron S. Doty to be collector of the customs for the district of Oswegatchie, and inspector of the revenue for the district of Oswegatchie, and inspector of the revenue for the port of Ogdensburg, in the State of New York, vice Matthew Myers, removed.

Seymour Scoville to be collector of the customs for the district of Niagara and inspector of the revenue for the port of Lewistown, in the State of New York, vice Fleming, removed.

Henry V. Low to be surveyor for the district of Perth Amboy and inspector of the revenue for the port of New Brunswick, in the State of New Jersey, vice Thomas Hance, removed.

John Pemberton to be naval officer for the district of Philadelphia, in the State of Pennsylvania, vice Philip S. Markley, removed.

William Duncan to be surveyor for the district and inspector of the

revenue for the port of Philadelphia, in the State of Pennsylvania, vice James Glentworth, removed.

Henry Whitely to be collector of the customs for the district and inspector of the revenue for the port of Wilmington, in the State of Delaware, vice Allen McLane, deceased.

Thomas R. Johnson to be collector of the customs for the district and inspector of the revenue for the port of St. Mary's, in the State of Maryland, vice William H. Plowden, removed.

Dabney S. Carr to be naval officer for the district of Baltimore in the State of Maryland, vice William B. Barney, removed.

George Brent to be collector of the customs for the district of Alexandria, in the District of Columbia, vice Humphrey Peake, resigned.

James McGuire to be surveyor for the district and inspector of the revenue for the port of Alexandria, in the District of Columbia, vice William Wilderburn, removed.

Charles McIndoe to be collector of the customs for the district of Petersburg, in the State of Virginia, vice James Robertson, removed.

Henry M. Cook to be collector of the customs for the district and inspector of the revenue for the port of Beaufort, in the State of North Carolina, in the place of James Manney, removed.

Stephen Charles to be collector of the customs for the district and inspector of the revenue for the port of Elizabeth City, in the State of North Carolina, vice Asa Rogerson, removed.

Algerson S. Thruston to be collector of the customs for the district and inspector of the revenue for the port of Key West, in the Territory of Florida, vice William Pinkney, removed.

Gabriel Floyd to be collector of the customs for the district and inspector of the revenue for the port of Magnolia, in the Territory of Florida, vice David L. White, removed.

Martin Gordon to be collector of the customs for the district of Mississippi, in the State of Louisiana, vice Beverly Chew, removed.

Peter K. Wagner to be naval officer for the district of Mississippi, in the State of Louisiana, vice Manuel Cruzat, removed.

James Madison Campbell to be surveyor and inspector of the revenue for the port of Louisville, in the State of Kentucky, vice Richard Ferguson, removed.

Samuel T. Lloyd to be collector of the customs for the district of Miami and inspector of the revenue for the port of Maumee, in the State of Ohio, vice Horatio Conant, removed.

William Hunter to be collector of the customs for the district and inspector of the revenue for the port of Portland, in the State of Ohio, vice Moors Farwell, removed.

Andrew Mack to be collector of the customs for the district and inspector of the revenue for the port of Detroit, in the Territory of Michigan, vice Truman Beecher, removed.

ANDREW JACKSON.

WASHINGTON, *January 13, 1830.*

The message was read.

The Vice-President laid before the Senate a paper purporting to be a copy of a correspondence relating to the appointment of John P. Decatur as collector of Portsmouth, New Hampshire, transmitted to the Senate in pursuance of a vote of a meeting held at Portsmouth the 25th day of November, 1829.

On motion by Mr. Woodbury,

Ordered, That it be referred to the Committee on Finance; and that the nomination of John P. Decatur be referred to the same committee.

Mr. Chambers presented the memorial of William B. Barney, late naval officer for the port of Baltimore, alleging that he has been removed from office before the expiration of the term for which he was appointed, and, praying an investigation into the causes which led to the revocation of his commission.

The memorial was read.

Ordered, That it lie on the table.

Mr. Silsbee presented the remonstrance of William Goddard and a number of others, merchants and inhabitants of the district of Boston and Charleston, in the Commonwealth of Massachusetts, against the confirmation of David Henshaw as collector for that district.

The remonstrance was read.

Ordered, That it lie on the table.

The following messages were received from the President of the United States, by Mr. Donaldson, his Secretary :

To the Senate of the United States :

I nominate Thomas Loomis to be collector of the customs for the district and inspector of the revenue for the port of Sackett's Harbour, in the State of New York, in the room of H. H. Sherwood, who was commissioned during the recess of the Senate, vice John M. Canfield, removed.

ANDREW JACKSON.

WASHINGTON, *Jan'y 13th*, 1830.

To the Senate of the United States :

I withdraw the nomination of Thomas Finley as marshal for the district of Maryland, his present commission not expiring until the 21st of December, 1830.

ANDREW JACKSON.

JANUARY 13, 1830.

The messages were severally read.

The Senate resumed the consideration of the message of the 5th instant nominating George M. Dallas and others to offices.

On motion by Mr. Holmes,

Ordered, That it lie on the table.

Mr. Woodbury, from the Committee on Commerce, to whom was referred, the 4th instant, the message nominating Samuel Hall and others, reported on the nomination of Mahlon D. Canfield.

Whereupon

Resolved, That the Senate advise and consent to the nomination of Mahlon D. Canfield, agreeably to the nomination.

The Senate proceeded to consider the message of the 4th instant nominating Hampton L. Boon and others to be registers and receivers ; and

Resolved, That they advise and consent to the appointments of Samuel Cruse, George W. Ward, Valentine King, John Caldwell, David Hoge, and John B. Hazard, agreeably to their respective nominations.

The Senate proceeded to consider the message of the 12th instant nominating Charles R. Holmes and William E. Hayne to offices.

Resolved, That they advise and consent to the appointment of Charles E. Holmes, agreeably to the nomination.

On motion by Mr. Holmes,

Ordered, That the nomination of William E. Hayne lie on the table.

WEDNESDAY, FEBRUARY 3, 1830.

The following messages were received from the President of the United States, by Mr. Donaldson, his Secretary:

To the Senate of the United States:

Commissions having been granted during the recess of the Senate to the following persons for the offices respectively annexed to their names, I now nominate them to the same, viz:

William L. May to be register of the land office for the district of lands subject to sale at Springfield, in the State of Illinois, vice John L. Todd, removed.

William H. Hurst to be receiver of public moneys for the district of lands subject to sale at Jeffersonville, in the State of Indiana, vice Andrew P. Hay, removed.

Joseph H. Larvill to be receiver of public moneys for the district of lands subject to sale at Tiffin, in the State of Ohio, vice Horton Howard, removed.

Joseph H. Lake to be register of the land office for the district of lands subject to sale at Wooster, in the State of Ohio, vice Cyrus Spinks, removed.

Thomas Flood to be register of the land office for the district of lands subject to sale at Zanesville, in the State of Ohio, vice Charles C. Gilbert, removed.

David C. Skinner to be receiver of public moneys for the district of lands subject to sale at Marietta, in the State of Ohio, vice John P. Mayberry, removed.

John D. Wolverton to be receiver of public moneys for the district of lands subject to sale at Vincennes, in the State of Indiana, vice John C. S. Harrison, removed.

James B. Gardner to be register of the land office for the district of lands subject to sale at Tiffin, in the State of Ohio, vice Platt Brush, removed.

William L. Robeson to be receiver of public moneys for the district of lands subject to sale at New Orleans, in the State of Louisiana, vice Nathaniel Cox, removed.

Isaiah Ingham to be receiver of public moneys for the district of lands subject to sale at Chillicothe, in the State of Ohio, vice Alexander Boume, removed.

James C. Sloo to be register of the land office for the district of lands subject to sale at Shawneetown, in the State of Illinois, vice Thomas Sloo, resigned.

Moses Dawson to be receiver of public moneys for the district of lands subject to sale at Cincinnati, in the State of Ohio, vice Andrew M. Bailey, removed.

John H. Vincent to be register of the land office for the district of lands subject to sale at Tuscaloosa, in the State of Alabama, vice William P. Gould, resigned.

Gurdon Sattonstall to be register of the land office for the district of lands subject to sale at Cahawba, in the State of Alabama, vice Alexander Pope, removed.

Benjamin Robt. Rogers to be receiver of public moneys for the district of lands subject to sale at Opelousas, in the State of Louisiana, vice David L. Todd, removed.

Charles Prentice to be register of the land office for the district of lands subject to sale at Vandalia, in the State of Illinois, vice Benjamin Mills, removed.

John Taylor to be receiver of public moneys for the district of lands subject to sale at Springfield, in the State of Illinois, vice Pascal P. Enos, removed.

Arthur St. Clair to be register of the land office for the district of lands subject to sale at Indianapolis, in the State of Indiana, vice Robert Hanna, removed.

Israel T. Canby to be receiver of public moneys for the district of lands subject to sale at Crawfordsville, in the State of Indiana, vice Ambrose Whitlocke, removed.

Robert Brackenridge to be register of the land office for the district of lands, subject to sale at Fort Wayne, in the State of Indiana, vice Samuel C. Vance, removed.

James P. Drake to be receiver of public moneys for the district of lands subject to sale at Indianapolis, in the State of Indiana, vice Noah Noble, removed.

Samuel Millroy to be register of the land office for the district of lands subject to sale at Crawfordsville, in the State of Indiana, vice Williamson Dunn, removed.

Jonathan McCarthy to be receiver of public moneys for the district of lands subject to sale at Fort Wayne, in the State of Indiana, vice Joseph Holman, removed.

Thomas G. Davidson to be register of the land office for the district of lands subject to sale at Saint Helena, in the State of Louisiana, vice Samuel I. Rennells, removed.

Alexander Gordon Penn to be receiver of public moneys for the district of lands subject to sale at Saint Helena, in the State of Louisiana, vice William Kinchin, removed.

William Lewis to be register of the land office for the district of lands subject to sale at Jeffersonville, in the State of Indiana, vice Samuel Gwathmey, resigned.

ANDREW JACKSON.

WASHINGTON, *January 20th*, 1830.

To the Senate of the United States :

I nominate James Dalrymple to be surveyor for the district of Salem and Beverly, and inspector of the revenue for the port of Salem, in the State of Massachusetts, from the 29th of January, 1830, when the commission of John Saunders will expire.

Benjamin Hawkes to be surveyor and inspector of the revenue for the port of Beverly, in the State of Massachusetts, from the 29th of January, 1830, when the commission of Jonathan Smith will expire.

John P. Norton to be collector of the customs for the district and inspector of the revenue for the port of Edgartown, in the State of Massachusetts, from the 19th of February, 1830, when the commission of Thomas Cook will expire.

Robert S. Garnet to be collector of the customs for the district and inspector of the revenue for the port of Tappahannock, in the State of Virginia, from the 9th of January, 1830, when the commission of John Dangerfield will expire.

ANDREW JACKSON.

WASHINGTON, *January 20*, 1830.

To the Senate of the United States :

I nominate to the Senate the following persons to the offices respectively annexed to their names :

Robert Stannard, of Virginia, to be attorney of the United States for the eastern district of Virginia, whose commission expired on the 15th of last month of December, 1829.

John Pegram, of Virginia, to be marshal of the United States for the eastern district of Virginia, whose commission expired on the 9th of this present month of January.

John H. Morel, of Georgia, to be marshal of the United States for the district of Georgia, whose commission expires on the 28th of this present month of January.

David C. Wilson, of Delaware, to be marshal of the United States for the district of Delaware.

John Elliot, of Alabama, to be attorney of the United States for the southern district of Alabama.

James D. Wescott, jr., of New Jersey, to be secretary in and for the Territory of Florida.

ANDREW JACKSON.

JANUARY 19, 1830.

To the Senate of the United States :

I nominate James Duncan to be receiver of public moneys for the district of lands subject to sale at Washington, in the State of Mississippi, vice Alfred W. McDaniel, removed.

ANDREW JACKSON.

WASHINGTON, *January 20, 1830.*

To the Senate of the United States :

I nominate William J. Duane, of Phila., to be a director of the Bank of the United States in place of Nicholas Biddle, who declined accepting the commission transmitted to him by the Government, having been previously elected by the stockholders of the bank a director.

ANDREW JACKSON.

JAN'Y 18, 1830.

To the Senate of the United States :

I nominate Lockland M. Stone marshal for the southern district of Florida, vice John Dean, appointed during the recess of the Senate.

ANDREW JACKSON.

JANUARY 19TH, 1830.

To the Senate of the United States :

Commissions having been granted during the recess of the Senate to the following persons, I now nominate them to the same offices as respectively annexed to their names :

Louis McLane, of Delaware, to be envoy extraordinary and minister plenipotentiary of the United States at the court of the United Kingdom of Great Britain and Ireland, vice James Barbour.

William C. Rives, of Virginia, to be envoy extraordinary and minister plenipotentiary of the United States to the court of His Most Christian Majesty the King of France and Navarre, vice James Brown, resigned.

William Pitt Preble, of Maine, to be envoy extraordinary and minis-

ter plenipotentiary of the United States at the court of His Majesty the King of the Netherlands.

Cornelius P. Van Ness, of Vermont, to be envoy extraordinary and minister plenipotentiary of the United States at the court of His Catholic Majesty, in place of Alexander H. Everett, recalled.

Washington Irving, of New York, to be secretary of legation of the United States near His Britannic Majesty, in place of William Beach Lawrence.

Charles Carroll Harper, of Maryland, to be secretary of legation of the United States to His Majesty the King of France and Navarre, in place of John Adams Smith.

Auguste Davezac, of Louisiana, to be secretary of legation of America at the court of His Majesty the King of the Netherlands.

J. C. Pickett, of Virginia, to be secretary of legation of the United States to the Republic of Columbia.

Anthony Butler, of Mississippi, to be chargé d'affaires of the United States at Mexico.

Emanuel J. West, to be chargé d'affaires of the United States at the Republic of Peru.

Henry Lee, of Virginia, to be consul-general of the United States for the city and Kingdom of Algiers, vice William Shaler, resigned.

Isaac Austin Hayes, to be consul of the United States for the port of Rio Grande, in Brazil.

Francis B. Ogden, of New Jersey, to be consul of the United States for the port of Liverpool, in the Kingdom of Great Britain, in place of James Maury.

Woodbridge Odlin, of Pennsylvania, to be consul of the United States for the port of St. Salvador, in Brazil.

Daniel C. Croxall, of New Jersey, to be consul of the United States at Marseilles, in place of Joshua Dodge, removed.

William Daniel Patterson, of New York, to be consul of the United States at Antwerp, in place of Charles Barnet, removed.

Charles Rhind, of New York, to be consul of the United States for the port of Odessa, on the Black Sea, in Russia.

Frederick Kahl, of Germany, to be consul of the United States for the Kingdom of Wurtemberg, and the Grand Duchies of Hesse, Darmstadt, and Baden.

Sidney Mason, of Massachusetts, to be consul of the United States for the port of St. John, in the Island of Porto Rico, in place of Robert Jacques, removed.

William Shaler, of Massachusetts, to be consul of the United States for the port of Havana, in the Island of Cuba, in place of Thomas M. Rodney, removed.

John S. Meireken, of Pennsylvania, to be consul of the United States for the Island of Martinique.

William Stirling to be consul of the United States in the port of Barcelona, in Spain, in place of Charles Douglass.

William Troost Simons to be consul of the United States for Westphalia and the Prussian provinces of the Rhine, to reside at Elberfeldt, in place of John Godfrey Boker, resigned.

Frederick Schillow to be consul of the United States for the port of Stettin, in the Kingdom of Prussia.

Theodore Privat to be consul of the United States for the port of Cette, in the Kingdom of France, in place of Alexander de Tubeuf, deceased.

John George Schwarz to be consul of the United States at Vienna, in the Austrian Empire.

John Lenox Kennedy, of New York, to be consul of the United States for the ports of Guaymas, Mazatlan and San Blas, in Mexico.

Silas H. Everett, of New York, to be consul of the United States at Panama, in the Republic of Colombia.

Asa Worthington, of New York, to be consul of the United States at Lima, and for the ports of Peru.

Joseph Washington Elliot Wallace to be consul of the United States at San Antonio, in Mexico, in place of David Dixon, resigned.

John M. Bowyer, of Alabama, to be consul of the United States for the port of Guzacualco, in Mexico, vice Charles Douglass, removed.

John G. Boker, of New York, to be consul-general of the United States for Switzerland.

ANDREW JACKSON.

JAN'Y 22, 1830.

To the Senate of the United States :

Commissions having been granted during the recess of the Senate to the following persons for the offices respectively annexed to their names, I now nominate them to the same, viz :

Sheldon Clarke to be appraiser of goods for the port of New Orleans, in the State of Louisiana, vice Abraham H. Inskeep, removed.

Robert T. Canfield to be appraiser of goods for the port of New Orleans, in the State of Louisiana, vice Robert M. Welman, removed.

Jeromus Johnson to be appraiser of goods for the port of New York, in the State of New York, vice Abraham R. Lawrence, removed.

William S. Coe to be appraiser of goods for the port of New York, in the State of New York, vice Frederick Jenkins, removed.

Lyde Goodwin to be appraiser of goods for the port of Baltimore, in the State of Maryland, vice William Haslett, removed.

Levi R. Lincoln to be appraiser of goods for the port of Boston, in the State of Massachusetts, vice William Little, removed.

ANDREW JACKSON.

WASHINGTON, *January 25, 1830.*

To the Senate of the U. S. :

I nominate for reappointment the following officers of the customs, whose commissions will expire at the dates respectively annexed to their names, viz :

Walter Bradley to be collector of the customs for the district and inspector of the revenue for the port of Fairfield, in the State of Connecticut, January 28, 1830.

William Willard to be surveyor and inspector of the revenue for the port of Saybrook, in the State of Connecticut, 12th March, 1830.

Samuel Brown to be naval officer for the district of Providence, in the State of Rhode Island, 29th of January, 1830.

John B. Roberts to be collector of the customs for the district and inspector of the revenue for the port of East River, in the State of Virginia, January 28th, 1830.

William Gray to be surveyor and inspector of the revenue for the port of Port Royal, in the State of Virginia, January 29th, 1830.

Henry Muse to be surveyor and inspector of the revenue for the port of Urbanna, in the State of Virginia, January 29th, 1830.

Levi Fagan to be collector of the customs for the district and in-

Inspector of the revenue for the port of Plymouth, in the State of North Carolina, February 19th, 1830.

Thomas H. Blount to be collector of the customs for the district and inspector of the revenue for the port of Washington, in the State of North Carolina, February 19th, 1830.

Samuel S. Law to be collector of the customs for the district and inspector of the revenue for the port of Sunbury, in the State of Georgia, March 17th, 1830.

Ambrose Crane to be surveyor and inspector of the revenue for the port of St. Marks, in the Territory of Florida, January 24th, 1830.

C. Levasseur to be surveyor and inspector of the revenue for the port of Bayou St. John, in the State of Louisiana, January 24, 1830.

ANDREW JACKSON.

WASHINGTON, *January 25, 1830.*

To the Senate of the United States :

I nominate to the Senate the following persons, whose appointments have expired, to be justices of the peace for the county of Alexandria, viz: Christopher Neale, William Miner, Charles Chapin, Alexander Hunter, and Jonathan Shillabee.

ANDREW JACKSON.

25 JAN'Y, 1830.

To the Senate of the United States :

I nominate Bernard Smith to be register of the land office at Little Rock, in Arkansas, from the 19th of February next, when his present term will expire.

ANDREW JACKSON.

JAN'Y 26, 1830.

To the Senate of the United States :

Benjamin Bailey having declined the appointment of director of the Bank of the United States, I nominate in his place James Campbell, of New York.

ANDREW JACKSON.

FEB'Y 3, 1830.

The messages were severally read.

The Vice-President laid before the Senate a letter from S. Haynes Jenks, relating to the appointment of M. T. Morton as collector; which was read.

Ordered, That it be referred to the Committee on Commerce.

On motion by Mr. Woodbury,

Ordered, That the nominations of the officers of the customs be referred to the Committee on Commerce.

Mr. Silsbee presented certain documents relating to the appointment of David Henshaw as collector; which were read.

Ordered, That they be referred to the Committee on Commerce.

Mr. Holmes presented certain documents relating to the appointment of William King as collector; which were read.

Ordered, That they be referred to the Committee on Commerce.

On motion by Mr. Barton,

The Senate proceeded, by unanimous consent, to consider the message nominating Bernard Smith to be register of the land office at Little Rock; and

Resolved, That they advise and consent to the appointment, agreeably to the nomination.

Mr. Sprague submitted a document relating to the appointment of William King as collector at Bath ; which was read.

Ordered, That it be referred to the Committee on Commerce.

On motion by Mr. Chambers,

Ordered, That the message nominating Christopher Neale and others to be justices of the peace, be referred to the Committee on the District of Columbia.

On motion by Mr. Rowan,

Ordered, That the nominations of marshals and district attorneys contained in the several messages be referred to the Committee on the Judiciary.

Mr. Rowan, from the Committee on the Judiciary, to whom was referred the message of the 30th December nominating Richard W. Green and George Reed, jr , to offices, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of Richard W. Green, agreeably to the nomination.

On motion by Mr. Woodbury,

Ordered, That the nomination of George Reed, jr., be recommitted to the Committee on the Judiciary.

Mr. Ruggles presented a representation of C. Hammond relating to the nomination of Moses Dawson as receiver of the land office at Cincinnati ; which was read.

Ordered, That it be referred to the Committee on Public Lands.

Mr. Woodbury, from the Committee on Commerce, to whom was referred the message of the 4th of January nominating Samuel Hall and others to be officers of the customs, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointments of Samuel Hall, Alphonso Mason, and Benjamin Knight, agreeably to their respective nominations.

Ordered, That the nomination of John McNiel, jr., lie on the table.

On motion by Mr. Barton,

Ordered, That the nominations of registers and receivers not acted on be referred to the Committee on Public Lands.

WEDNESDAY, FEBRUARY 10, 1830.

The following messages were received from the President of the United States, by Mr. Donaldson, his Secretary :

To the Senate of the United States :

Commissions having been granted during the recess of the Senate to the following persons, I now nominate them to the same offices as respectively annexed to their names :

Isaac Hill, of New Hampshire, to be Second Comptroller of the Treasury, vice Richard Cutts, removed.

William B. Lewis, of Tennessee, to be Second Auditor of the Treasury, vice William Lee, removed.

Amos Kendall, of Kentucky, to be Fourth Auditor of the Treasury, vice Tobias Watkins, removed.

John Campbell, of Virginia, to be Treasurer of the United States, vice William Clarke, removed.

Thomas L. Smith, of New York, to be Register of the Treasury, vice Joseph Nourse, removed.

ANDREW JACKSON.

FEBRUARY 4, 1830.

To the Senate of the United States:

I nominate for reappointment John G. Mawney to be surveyor and inspector of the revenue for the port of East Greenwich, in the State of Rhode Island, from the 29th of January, 1830, when his present commission expired.

ANDREW JACKSON.

WASHINGTON, *February 5, 1830.*

I nominate to the Senate of the United States—

Benjamin Reynolds, of Tennessee, to be agent to the Chickasaw Nation of Indians, in the place of Benjamin Smith resigned.

George Vashon, of Virginia, the present agent to the Delawares and Shawnees, to be agent to the Cherokees west of the Mississippi.

Wharton Rector, of Arkansas, to be agent to the Shawnee and Delaware Indians, vice George Vashon.

John Campbell, of Tennessee, to be agent to the Creek Indians west of the Mississippi.

ANDREW JACKSON.

FEBRUARY 5, 1830.

The messages were severally read.

Ordered, That the message nominating John G. Mawney be referred to the Committee on Commerce.

Ordered, That the message nominating Benjamin Reynolds and others be referred to the Committee on Indian Affairs.

The Vice-President laid before the Senate a remonstrance of the Hon'ble Joseph M. White, the Delegate of the Territory of Florida, against the confirmation of the nomination of James D. Westcott as secretary and John G. Stowers as attorney of the United States for the said Territory.

Ordered, That it be referred to the Committee on the Judiciary.

Mr. Smith, of Maryland, presented a representation of B. Huntington enclosing a copy of the minutes of the New York Coal Company against the appointment of Thomas L. Smith as Register of the Treasury.

Ordered, That the nomination of Thomas L. Smith, together with the said representation, be referred to the Committee on the Judiciary.

Mr. Tazewell, from the Committee on Foreign Relations, to whom was referred, the 14th December, the treaty with Austria, reported it without amendment.

The said treaty was read the second time and considered as in Committee of the Whole; and no amendment having been made thereto, it was reported to the Senate.

Whereupon

Mr. Tazewell submitted the following resolution:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the treaty of commerce and navigation between the United States of America and His Majesty the Emperor of Austria, concluded at Washington on the 27th day of August, in the year of our Lord one thousand eight hundred and twenty-nine.

The Senate proceeded to consider the resolution, by unanimous consent; and

On the question to agree thereto,
It was determined in the affirmative, yeas 46.

Those who voted are,

Messrs. Adams, Barnard, Barton, Bell, Benton, Bibb, Brown, Burnet, Chambers, Chase, Clayton, Dickerson, Dudley, Ellis, Foot, Forsyth, Frelinghuysen, Grundy, Hayne, Hendricks, Holmes, Iredell, Johnston, Kane, King, Knight, McKinley, McLean, Marks, Naudain, Noble, Robbins, Rowan, Ruggles, Sanford, Seymour, Silsbee, Smith of Md., Smith of S. C., Sprague, Tazewell, Tyler, Webster, White, Willey, Woodbury.

Ordered, That the Secretary lay this resolution before the President of the United States.

On motion by Mr. Woodbury,

The Senate resumed the consideration of the nomination of John McNiell, jr., to be surveyor and inspector of the district and port of Boston.

On motion by Mr. Holmes that the said nomination lie on the table,

It was determined in the affirmative, { Yeas 25
Nays 21

On motion by Mr. Woodbury,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Barton, Bell, Burnet, Chambers, Chase, Clayton, Dickerson, Foot, Frelinghuysen, Hendricks, Holmes, Johnston, King, Knight, Marks, Naudain, Noble, Robbins, Ruggles, Seymour, Silsbee, Smith of S. C., Sprague, Webster, Willey.

Those who voted in the negative are,

Messrs. Adams, Barnard, Benton, Bibb, Brown, Dudley, Ellis, Forsyth, Grundy, Hayne, Iredell, Kane, McKinley, McLean, Rowan, Sanford, Smith of Md., Tazewell, Tyler, White, Woodbury.

Mr. Ellis, from the Committee on Public Lands, to whom was referred the nomination of James Duncan, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of James Duncan, agreeably to the nomination.

The Senate proceeded to consider the nomination of William J. Duane, contained in the message of the 3d instant; and

Resolved, That they do advise and consent to the appointment of William J. Duane, agreeably to the nomination.

The Senate proceeded to consider the message of the 3d instant nominating James Campbell to be a director of the Bank of the United States; and

Resolved, That they do advise and consent to the appointment of James Campbell, agreeably to the nomination.

Mr. Ruggles presented certain documents relating to the appointment of Joseph H. Larwell as receiver of public moneys.

Ordered, That they be referred to the Committee on Public Lands.

The Senate proceeded to consider the message nominating Louis McLane and others to offices; and

Resolved, That they do advise and consent to the appointments of Louis McLane, William C. Rives, William Pitt Preble, Washington Irving, Charles Carroll Harper, Auguste Davezac, and J. C. Pickett, agreeably to their respective nominations.

On the question, Will the Senate advise and consent to the appointment of Cornelius P. Van Ness?

It was determined in the affirmative, { Yeas. 26
Nays 21

Ordered, That the remaining nominations in the said message be referred to the Committee on Commerce.

It was determined in the affirmative, { Yeas..... 39
Nays..... 6

On motion by Mr. Woodbury,

The yeas and nays being desired by one-fifth of the Senators present,
Those who voted in the affirmative are,

Messrs. Adams, Barnard, Barton, Bell, Bibb, Brown, Burnet, Chase, Clayton, Dickerson, Dudley, Ellis, Foot, Forsyth, Frelinghuysen, Grundy, Hayne, Hendricks, Holmes, Iredell, Kane, King, Knight, Livingston, McKinley, McLean, Marks, Naudain, Noble, Robbins, Rowan, Ruggles, Sanford, Smith of Md., Smith of S. C., Tazewell, Tyler, White, Woodbury.

Those who voted in the negative are,

Messrs. Chambers, Johnston, Seymour, Silsbee, Sprague, Webster.

The Senate proceeded to consider the message nominating Christopher Hughes to be chargé d'affaires.

Ordered, That it be referred to the Committee on Foreign Relations.

The Senate resumed the consideration of the nomination of John McNiel, jun'r; and

On the question to agree thereto,

It was determined in the affirmative, { Yeas..... 25
Nays..... 22

On motion by Mr. Chase,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Adams, Barnard, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hayne, Iredell, Kane, King, Livingston, McKinley, McLean, Rowan, Sanford, Smith of Md., Smith of S. C., Tazewell, Tyler, White, Woodbury.

Those who voted in the negative are,

Messrs. Barton, Bell, Burnet, Chambers, Chase, Clayton, Foot, Frelinghuysen, Hendricks, Holmes, Johnston, Knight, Marks, Naudain, Noble, Robbins, Ruggles, Seymour, Silsbee, Sprague, Webster, Willey.

So it was

Resolved, That the Senate advise and consent to the appointment of John McNiel, jr.

Mr. Woodbury, from the Committee on Commerce, to whom the message nominating Joshua Carpenter and others was referred, reported in part.

Whereupon

Resolved, That the Senate advise and consent to the appointments of John W. Smith, Archibald W. Hyde, and William Baldwin agreeably to their respective nominations.

Ordered, That the nomination of Henry Whitely lie on the table.

TUESDAY, FEBRUARY 16, 1830.

The following message was received from the President of the United States, by Mr. Donaldson, his secretary:

To the Senate of the United States:

I nominate Robert Diggs, esq., to be surveyor and inspector of the revenue for the port of Nanjemoy, in the State of Maryland, vice William D. Harrison, deceased.

ANDREW JACKSON.

WASHINGTON, Feb'y 16, 1830.

The message was read.

Mr. Holmes submitted the following motion; which was considered and agreed to:

Resolved, That the papers and documents in the office of the Secretary of the Senate, on the nomination of Benjamin Ames, marshal of Maine, and Joseph F. Wingate for collector of Bath, be referred to the Committee of Commerce, who have under consideration the nomination of William King.

The Senate proceeded to consider the message nominating Isaac Hill and others to offices; and

Ordered, That the nominations of Isaac Hill and Wm. B. Lewis be referred to the Committee on the Judiciary.

Ordered, That the nominations of Amos Kendall and John Campbell lie on the table.

Mr. Rowan, from the Committee on the Judiciary, to whom was referred the message nominating George M. Dallas and others to offices, reported on all the nominations except that of John G. Stower.

Whereupon

Resolved, That the Senate advise and consent to the appointments of James Collinsworth and William A. Harrison.

The Senate resumed the consideration of the nomination of Henry Whitely; and

Ordered, That they do advise and consent to the appointment, agreeably to the nomination.

Mr. Woodbury, from the Committee on Commerce, to whom the nominations of custom-house officers were referred the 3d instant, reported in part.

Whereupon

Resolved, That the Senate advise and consent to the appointments of George Brent, James Dalrymple, Benjamin Hawkes, John P. Norton, Robert S. Garnet, Walter Bradley, William Willard, Samuel Brown, John B. Roberts, William Gray, Henry Muse, Levi Fagan, Thomas H. Blount, Samuel S. Law, Ambrose Crane, C. Levasseur, and John G. Mawney, agreeably to their respective nominations.

Ordered, That the nomination of Lemuel Williams lie on the table.

On motion by Mr. Woodbury,

Ordered, That the Committee on Commerce be discharged from the consideration of a letter from S. H. Jenks, referred to the 3d instant.

Mr. Kane, from the Committee on Public Lands, reported on the nomination of Moses Dawson.

Mr. Woodbury presented a letter from the 4th Auditor, relating to the accounts of John P. Decatur; which, on his motion, was ordered to be referred to the Committee on Finance.

WEDNESDAY, FEBRUARY 17, 1830.

The following message was received from the President of the United States, by Mr. Donaldson, his secretary:

To the Senate of the United States :

GENTLEMEN: I nominate to the Senate the persons named in the inclosed list, to be brevet officers, with the rank respectively attached, and from the particular periods which are stated. They are the only officers of the Army who, under the principles settled by the Senate at the last session, are entitled to brevets on the war brevets. By the

statement presented from the Adjutant-General, it appears that these nominations were last year presented and approved. The object in their nomination is to correct the dates of their respective ranks.

ANDREW JACKSON.

FEBRUARY 17, 1830.

A list of officers of the Army of the United States whose names have been submitted to the Senate by the President for promotion by brevet on brevets conferred for services during the last war, and confirmed by the Senate, but the dates of rank not corresponding with the ten years' service on their former brevets, this list is made out to rectify the same:

Colonel William Lawrence, of the 5th Regiment of Infantry, to be col. by brevet, to date from the 15th September, 1824, instead of 8th May, 1828.

Major John T. Walbach, of the 1st Regiment of Artillery, to be colonel by brevet, to date from 1st May, 1825, instead of 25th April, 1828.

Captain N. S. Clark, of the 2d Reg't of Infantry, to be major by brevet, to date from 25 July, 1824, instead of 1 October, 1824.

Captain R. E. DeRussey, of the Corps of Engineers, to be major by brevet, to date from 11th September, 1824, instead of 9th February, 1825.

Captain Henry Whiting, of the 1st Regiment of Artillery, to be major by brevet, to date from 17th March, 1824, instead of 3d March, 1827.

Capt. R. A. Zandtzing, of the 2d Reg't of Artillery, to be major by brevet, to date from 15 Aug't, 1824, instead of 12th of December, 1828.

These officers have received brevets, but the dates do not correspond with the length of service of ten years on their brevets.

ADJUTANT-GENERAL'S OFFICE,
Washington, 16 Feb'y, 1830.

Prepared by order of Major-General Macomb.

S. COOPER,
Act'g Adj't-Gen'l.

Respectfully submitted to the Secretary of War.

ALEX'R MACOMB,
Major-Gen'l, Comm'g the Army.

The message was read.

Ordered, That it be referred to the Committee on Military Affairs.

Mr. Sanford presented certain documents relating to the appointment of Thomas L. Smith as register; which were referred to the Committee on the Judiciary.

The following resolution, submitted by Mr. Chambers, was considered and agreed to:

Resolved, That the Secretary of the Navy be directed to lay before the Senate such documents or papers, or other information as are in his possession, or have come to his knowledge, relative to the responsibility of any person for the balances reported to be due from the late John B. Timberlake, as a purser in the United States Navy, and to inform the Senate whether the evidence, if any, of such responsibility has been known to the Fourth Auditor, and at what time; and whether any, and what, steps have been taken by the Fourth Auditor or by any other person to recover said balances, and to state any other matters in his knowledge tending to show the manner in which the 4th Auditor has discharged his duty in relation to said balances.

The Senate resumed the consideration of the nomination of Lemuel Williams ; and

On the question, " Will the Senate advise and consent to this appointment?"

It was determined in the negative, { Yeas..... 11
Nays..... 34

On motion by Mr. Chambers,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Dudley, Grundy, Kane, Livingston, McKinley, Robbins, Rowan, Sanford, Tazewell, White, Woodbury.

Those who voted in the negative are,

Messrs. Adams, Barnard Barton, Bell, Bibb, Brown, Burnet, Chambers, Chase, Clayton, Dickerson, Ellis, Foot, Forsyth, Frelinghuysen, Hayne, Hendricks, Holmes, Johnston, King, Knight, McLean, Marks, Naudain, Noble, Ruggles, Seymour, Silsbee, Smith of Md., Smith of S. C., Sprague, Tyler, Webster, Willey.

So it was

Resolved, That the Senate do not advise and consent to the appointment of Lemuel Williams.

THURSDAY, FEBRUARY 18, 1830.

On motion by Mr. Tyler,

It was agreed to reconsider the vote on the nomination of Lemuel Williams.

On motion by Mr. Webster,

Ordered, That the nomination be recommitted to the Committee on Commerce.

Mr. White, from the Committee on Indian Affairs, to whom was referred the message nominating Benjamin Reynold and others, reported in part.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of Benjamin Reynolds and George Vashon, agreeably to their respective nominations.

WEDNESDAY, MARCH 3, 1830.

The following messages were received from the President of the United States, by Mr. Donaldson, his Secretary :

To the Senate of the United States :

Having seen a report, from the Treasury Department, just made to me, that General John Campbell, lately nominated Indian agent, stands recorded as a public defaulter on the books of the Treasury, and being unapprised of this fact when he was nominated to the Senate, I beg leave to withdraw this nomination.

ANDREW JACKSON.

FEB'Y 20, 1830.

To the Senate of the United States :

I nominate to the Senate Byrd Brandon, of Alabama to be attorney of the United States for the northern district of Alabama, in place of Joseph Scott, appointed during the recess; and

George Adams, of Mississippi, to be attorney of the United States for the district of Mississippi, in place of Felix Huston, resigned.
ANDREW JACKSON.

FEBRUARY 20, 1830.

To the Senate of the United States:

GENTLEMEN: I nominate Daniel M. Dunell, of New Hampshire, to be a director of the Bank of the United States, in the place of William J. Duane, who has declined the acceptance of the same.

ANDREW JACKSON.

WASHINGTON, *February* 20, 1830.

To the Senate of the United States:

GENTLEMEN: I nominate Conway Whittle to be collector for the port of Norfolk, Va., in the place of Moses Myers, removed.

ANDREW JACKSON.

FEBRUARY 23, 1830.

To the Senate of the United States:

I nominate for reappointment James H. McCulloch to be collector of the customs for the district of Baltimore, in the State of Maryland, from the first day of March, 1830, when his present commission will expire.

Also Thomas Turner to be collector of the customs for the district and inspector of the revenue for the port of Georgetown, in the District of Columbia, from the first of March, 1830, when his present commission will expire.

ANDREW JACKSON.

WASHINGTON, *Feb'y* 27, 1830.

The messages were severally read.

Ordered, That the nominations therein contained of officers of the customs be referred to the Committee on Commerce.

The Vice-President laid before the Senate a report of the Secretary of the Navy, relating to the balances reported to be due by the late John B. Timberlake, made in compliance with a resolution of the Senate of the 17th February.

The report, with the accompanying papers, was read.

Ordered, That it lie on the table.

On motion by Mr. White,

Ordered, That the Committee on Indian Affairs be discharged from the consideration of the nomination of John Campbell, withdrawn.

Mr. White, from the Committee on Indian Affairs, to whom the message nominating Benjamin Reynolds and others was referred, reported on the nomination of Wharton Rector.

Mr. Barton, from the Committee on Public Lands, to whom the message of the 3d February nominating William L. May and others to be registers and receivers was referred, reported.

Mr. Tazewell, from the Committee on Foreign Relations, to whom were referred the nominations of Anthony Butler, Emanuel J. West, and Henry Lee, contained in the message of the 3d February, reported.

He also reported on the nomination of Christopher Hughes, referred to the committee the 3d February.

Mr. Rowan, from the Committee on the Judiciary, to whom was re-

committed, the 3d February, the nomination of George Reed, and to whom were referred the nominations of John G. Stower, Robert Stannard, John Pegram, John H. Morel, David C. Wilson, James D. Westcott, Lackland M. Stone, Isaac Hill, William B. Lewis, and Thomas L. Smith, and to whom were also referred a remonstrance of the Hon'ble Joseph M. White against the appointment of James D. Westcott and John G. Stowers, and a representation of B. Huntingdon, reported.

Mr. Woodbury, from the Committee on Commerce, to whom were referred the nominations of officers of the customs and of consuls contained in the messages of the 12th and 14th January and 3d February, together with the memorial of William B. Barney and the remonstrance of William Goddard and others, reported on all the nominations except the nomination of William King.

The Senate proceeded, by unanimous consent, to consider the nomination of George Adams to be attorney of the United States for the district of Mississippi; and

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

The Senate proceeded to consider the message nominating Christopher Hughes to be chargé d'affaires; and

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

The Senate proceeded to consider the message nominating Robert Diggs to office; and

Resolved, That they advise and consent to the appointment, agreeably to the nomination.

THURSDAY, MARCH 4, 1830.

Mr. Woodbury, from the Committee on Commerce, to whom the nominations of James H. McCulloch and Thomas Turner were referred, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointments of James H. McCulloch and Thomas Turner, agreeably to their respective nominations.

The Senate resumed the consideration of the message nominating Robert Stannard and others to be attorneys and marshals; and

Resolved, That they advise and consent to the appointments of Robert Stannard, John Pegram, John H. Morel, and David C. Wilson, agreeably to their respective nominations.

The Senate proceeded to consider the message nominating Lackland M. Stone to office; and

Resolved, That they do advise and consent to the appointment of Lackland M. Stone, agreeably to the nomination.

On motion by Mr. Smith, of S. C.,

Ordered, That the injunction of secrecy be removed from the proceedings on the treaty with the united nations of Chippewa, Ottawa, and Pottawattamie Indians, made the 29th day of July, 1829, and from the proceedings on the treaty with the Winnebago Indians, made the first day of August, 1829.

The Senate resumed the consideration of the nomination of Lemuel Williams; and

On motion by Mr. Dickerson,
The Senate adjourned.

MONDAY, MARCH 8, 1830.

The following messages were received from the President of the United States, by Mr. Donaldson, his Secretary:

To the Senate of the United States :

I nominate for reappointment the following officers of the customs, whose commissions will expire at the dates respectively annexed to their names, viz:

Daniel Burrows to be surveyor for the district and inspector of the revenue for the port of Middletown, in the State of Connecticut, May 22, 1830.

John Chew to be surveyor and inspector of the revenue for the port of Havre de Grace, in the State of Maryland, May 10th, 1830.

George W. Briscoe to be surveyor and inspector of the revenue for the port of Nottingham, in the State of Maryland, May 10, 1830.

William Nelson to be collector of the customs for the district and inspector of the revenue for the port of Yorktown, in the State of Virginia, April 3d, 1830.

James Wade to be surveyor and inspector of the revenue for the port of Swansborough, in the State of North Carolina, May 2d, 1830.

John D. Jones to be naval officer for the district of Wilmington, in the State of North Carolina, May 22, 1830.

William Joyner to be collector of the customs for the district and inspector of the revenue for the port of Beaufort, in the State of South Carolina, May 22, 1830.

John Stevens to be collector of the customs for the district of Savannah, in the State of Georgia, April 1st, 1830.

Archibald Clarke to be collector of the customs for the district and inspector of the revenue for the port of St. Mary's in the State of Georgia, May 6, 1830.

Lyman Briggs to be surveyor and inspector of the revenue for the port of Madisonville, in the State of Mississippi, May 22, 1830.

Robert Mitchell to be collector of the customs for the district and inspector of the revenue for the port of Pensacola, in the Territory of Florida, April 3d, 1830.

William M. Loftin to be surveyor and inspector of the revenue for the port of St. Andrew's, in the Territory of Florida, April 3d, 1830.

I also nominate for reappointment Gideon Fitz to be register of the land office for the district of lands subject to sale at Mount Salus, in the State of Mississippi, from the tenth day of May, 1830, when his present commission will expire.

ANDREW JACKSON.

WASHINGTON, March 5, 1830.

To the Senate of the United States :

I nominate David B. McNeil to be collector of the customs for the district of Champlain and inspector of the revenue for the port of Plattsburg, in the State of New York, from the 2d day of May, 1830, when the commission of L. C. Saily will expire.

John P. Osborne to be collector of the customs for the district and inspector of the revenue for the port of Sagg Harbor, in the State of New York, from the tenth day of May, 1830, when the commission of Henry Thomas Dering will expire.

ANDREW JACKSON.

WASHINGTON, March 5, 1830.

The messages were read.

The Senate resumed the consideration of the nomination of Lemuel Williams; and

On the question, Will the Senate advise and consent to the appointment of Lemuel Williams?

It was determined in the affirmative, { Yeas 26
Nays 20

On motion by Mr. Bell,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Adams, Barton, Benton, Brown, Burnet, Clayton, Dickerson, Dudley, Forsyth, Frelinghuysen, Grundy, Hayne, Iredell, Kane, Knight, Livingston, McKinley, Robbins, Rowan, Sanford, Smith of Md., Tazewell, Troup, Tyler, White, Woodbury.

Those who voted in the negative are,

Messrs. Barnard, Bell, Bibb, Chambers, Chase, Ellis, Foot, Hendricks, Holmes, Johnston, King, McLean, Marks, Naudain, Ruggles, Seymour, Silsbee, Smith of S. C., Sprague, Willey.

So it was .

Resolved. That the Senate do advise and consent to the appointment of Lemuel Williams, agreeably to the nomination.

Mr. Woodbury, from the Committee on Commerce, to whom was referred the nomination of William King, contained in the message of the 14th January, reported.

He also reported on the nomination of Conway Whittle, contained in the message of the 3d instant.

A motion was made by Mr. Tazewell, by direction of the Committee on Foreign Relations, that the Committee on Foreign Relations, to whom was referred the nomination of Henry Lee as consul-general of the city and Kingdom of Algiers, be empowered to send for persons; and while the same was under consideration,

The Senate adjourned.

WEDNESDAY, MARCH 10, 1830.

The following message was received from the President of the United States, by Mr. Donaldson, his secretary:

To the Senate of the United States:

I nominate to the Senate Thomas F. Knox, of Virginia, to be consul of the United States at Angostura, in the Republic of Colombia.

ANDREW JACKSON.

MARCH 9TH, 1830.

The message was read.

Ordered, That it be referred to the Committee on Commerce.

Ordered, That the nominations of officers of the customs contained in the messages of the 8th instant be referred to the same committee.

The Senate resumed the consideration of the motion to empower the Committee on Foreign Relations to send for persons; and,

On motion by Mr. McKinley,

Ordered, That it lie on the table.

The Senate proceeded to consider the nomination of Henry Lee, contained in the message of the 3d February; and

On the question, Will the Senate advise and consent to the appointment of Henry Lee?

It was determined in the negative, nays 46.

On motion by Mr. Burnet,

The yeas and nays being desired by one-fifth of the Senators present,
Those who voted in the negative are,

Messrs. Adams, Barnard, Barton, Bell, Benton, Bibb, Brown, Burnet, Chambers, Chase, Clayton, Dickerson, Dudley, Ellis, Foot, Frelinghuy- sen, Grundy, Hayne, Hendricks, Holmes, Iredell, Johnston, Kane, King, Knight, Livingston, McKinley, McLean, Marks, Naudain, Robbins, Rowan, Ruggles, Sanford, Seymour, Silsbee, Smith of Md., Smith of S. C., Sprague, Tazewell, Troup, Tyler, Webster, White, Willey, Wood- bury.

So it was

Resolved, That the Senate do not advise and consent to the appoint- ment of Henry Lee.

On motion by Mr. Chambers,

Ordered, That the nomination of Amos Kendall be referred to a select committee.

Messrs. Chambers, Tazewell, Bibb, White, and Bell were appointed the committee.

Ordered, That the report of the Secretary of the Navy, laid before the Senate the 3d instant, in relation to the balances reported to be due by the late John B. Timberlake, be referred to the same committee.

On motion by Mr. Ellis,

Ordered, That the nomination of Gideon Fitz be referred to the Com- mittee on Public Lands.

The Senate proceeded to consider the nomination of George Reed, jr.; and,

On motion by Mr. Naudain,

Ordered, That it lie on the table.

THURSDAY, MARCH 11, 1830.

The following messages were received from the President of the United States, by Mr. Donaldson, his secretary:

To the Senate of the United States:

GENTLEMEN: I beg leave to withdraw the nomination of John M. Bow- yer to be consul of the United States for the port of Guazocualco, in Mexico.

ANDREW JACKSON.

WASHINGTON, *March* 10, 1830.

To the Senate of the United States:

I nominate John Crowninshield to be appraiser of goods for the port of Boston, in the State of Massachusetts, vice Isaac Waters, removed.

ANDREW JACKSON.

WASHINGTON, *March* 11, 1830.

To the Senate of the United States:

I nominate Commodore David Porter to be consul-general of the United States for the city and Kingdom of Algiers, vice Henry Lee, of Virginia, rejected by the Senate.

I also nominate for reappointment T. P. Devereaux, district attorney for North Carolina.

I also nominate for reappointment Benjamin S. Wright, district at- torney for West Florida.

ANDREW JACKSON.

MARCH 11, 1830.

To the Senate of the United States :

I nominate for reappointment the following officers of the customs, whose commissions will expire at the dates respectively annexed to their names, viz:

John Grant, jr., to be collector of customs of the district and inspector of the revenue for the port of Oswego, in the State of New York, May 2, 1830.

John T. Vernor to be surveyor and inspector of the revenue for the port of Albany, in the State of New York, May 6, 1830.

ANDREW JACKSON.

WASHINGTON, *March* 11, 1830.

The messages were read.

The Senate proceeded to consider the nomination of Anthony Butler to be chargé d'affaires at Mexico; and,

On motion by Mr. Bell,

Ordered, That it lie on the table.

FRIDAY, MARCH 12, 1830.

The Senate resumed the consideration of the nomination of Anthony Butler; and

On the question, will the Senate advise and consent to this appointment?

It was determined in the affirmative, {	Yeas.....	35
	Nays	12

On motion by Mr. Bell,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Adams, Benton, Bibb, Brown, Burnet, Clayton, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hayne, Hendricks, Iredell, Johnston, Kane, King, Knight, Livingston, McLean, Marks, Robbins, Rowan, Ruggles, Sanford, Seymour, Silsbee, Smith of Md., Smith of S. C., Tazewell, Troup, Tyler, White, Woodbury.

Those who voted in the negative are,

Messrs. Barton, Bell, Chambers, Chase, Foot, Frelinghuysen, Holmes, Naudain, Noble, Sprague, Webster, Willey.

So it was

Resolved, That the Senate do advise and consent to the appointment of Anthony Butler, agreeably to the nomination.

Mr. Ellis, from the Committee on the Public Lands, to whom was referred the nomination of Gideon Fitz, reported.

The following messages were received from the President of the United States, by Mr. Donaldson, his secretary :

To the Senate of the United States :

GENTLEMEN: I nominate John Phagan, of North Carolina, to be agent for the Seminole Indians, in the place of Gad Humphreys, removed. Mr. Phagan is the present subagent for those Indians.

ANDREW JACKSON.

MARCH 12, 1830.

To the Senate of the United States :

I nominate to the Senate Peter Hotz, jr., to be consul of the United States at Valencia, in Spain.

ANDREW JACKSON.

MARCH 11, 1830.

The messages were read.

The Senate proceeded to consider the nomination of Emanuel J. West, contained in the message of the 3d February; and

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

On motion by Mr. Woodbury,

Ordered, That the nominations of John Grant, jr., collector, John T. Vernor, surveyor and inspector, John Crowninshield, appraiser, and Peter Hotz, jr., consul, be referred to the Committee on Commerce.

On motion by Mr. Tazewell,

Ordered, That the message nominating David Porter to office be referred to the Committee on Foreign Relations.

On motion by Mr. Iredell,

Ordered, That the nomination of T. P. Devereaux be referred to the Committee on the Judiciary.

Mr. Johnston, from the Committee on Finance, to whom was referred the nomination of John P. Decatur, reported.

On motion by Mr. Hayne,

Resolved, That a committee be appointed to take into consideration the rules in relation to the confidential proceedings of the Senate in its executive capacity, and to report thereon.

Messrs. Hayne, Webster, Grundy, Bell, and Benton were appointed the committee.*

Mr. Woodbury, from the Committee on Commerce, to whom was referred the message nominating Daniel Burrows and others to be officers of the customs, reported.

TUESDAY, MARCH 16, 1830.

On motion by Mr. White,

Ordered, That the nomination of John Phagan be referred to the Committee on Indian Affairs.

The following messages were received from the President of the United States, by Mr. Donaldson, his Secretary:

To the Senate of the United States :

I nominate to the Senate George Black, of New York, to be consul of the United States at Santos, Brazil.

ANDREW JACKSON.

To the Senate of the United States :

GENTLEMEN: I nominate to the Senate Charles F. Morehouse, of Louisiana, to be register of the land office at Ouachita, Louisiana, in the place of John Hughes, deceased.

ANDREW JACKSON.

MARCH 13, 1830.

To the Senate of the United States :

GENTLEMEN: I nominate Tines Ewing, of Missouri, to be register of the land office at Lexington, Missouri, in the place of J. S. Findlay, removed.

ANDREW JACKSON.

16TH MARCH, 1830.

* Report of committee will be found in an appendix at the close of the volume.

The messages were read.

On motion by Mr. Barton,

Ordered, That the nominations of Tines Ewing and Charles F. Morehouse be referred to the Committee on Public Lands.

The Senate proceeded to consider the nomination of William Fulton, contained in the message of the 5th January.

On motion by Mr. Barton that the nomination lie on the table,

It was determined in the negative, { Yeas..... 19
Nays..... 27

On motion by Mr. Grundy,

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are,

Messrs. Barton, Bell, Burnet, Chase, Clayton, Foot, Frelinghuysen, Holmes, Johnston, Knight, Marks, Naudain, Noble, Robbins, Seymour, Silsbee, Sprague, Webster, Willey.

Those who voted in the negative are,

Messrs. Adams, Barnard, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hayne, Hendricks, Iredell, Kane, King, Livingston, McKinley, McLean, Rowan, Sanford, Smith of Md., Smith of S. C., Tazewell, Troup, Tyler, White, Woodbury.

On motion by Mr. Barton,

The Senate adjourned.

WEDNESDAY, MARCH 17, 1830.

The following message was received from the President of the United States, by Mr. Donaldson, his secretary:

To the Senate of the United States:

I nominate Frederick R. Conway to be recorder of land titles in the State of Missouri, vice Theodore Hunt, removed.

ANDREW JACKSON.

WASHINGTON, *March* 16, 1830.

The message was read.

The Senate resumed the consideration of the nomination of William Fulton.

On motion by Mr. Barton that the nomination of William Fulton be referred to the Committee on the Judiciary, with instructions to inquire into the cause of the removal of Robert Crittenden, esq., from the office of the Secretary of the Territory of Arkansas,

It was determined in the negative, { Yeas..... 17
Nays..... 25

On motion by Mr. Ellis,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Barton, Bell, Burnet, Clayton, Foot, Frelinghuysen, Hendricks, Holmes, Johnston, Knight, Marks, Noble, Robbins, Seymour, Silsbee, Sprague, Willey.

Those who voted in the negative are,

Messrs. Adams, Barnard, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hayne, Iredell, Kane, King, Livingston, McKinley, McLean, Rowan, Sanford, Smith of S. C., Tazewell, Troup, Tyler, White, Woodbury.

On motion by Mr. Barton "That the nomination of William Fulton

be referred to the President of the United States, with a request that he will inform the Senate for what cause Robert Crittenden was removed from the office of secretary of the Territory of Arkansas,"

It was determined in the negative, { Yeas 17
Nays 25

On motion by Mr. Barton,

The yeas and nays being desired by one-fifth of the Senators present,
Those who voted in the affirmative are,

Messrs. Barton, Bell, Burnet, Chase, Clayton, Foot, Frelinghuysen, Hendricks, Holmes, Johnston, Knight, Marks, Noble, Robbins, Seymour, Silsbee, Willey.

Those who voted in the negative are,

Messrs. Adams, Barnard, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hayne, Iredell, Kane, King, Livingston, McKinley, McLean, Rowan, Sanford, Smith of S. C.; Tazewell, Troup, Tyler, White, Woodbury.

On the question, Will the Senate advise and consent to the appointment of William Fulton,

It was determined in the affirmative, { Yeas 26
Nays 17

On motion by Mr. Foot,

The yeas and nays being desired by one-fifth of the Senators present,
Those who voted in the affirmative are,

Messrs. Adams, Barnard, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hayne, Hendricks, Iredell, Kane, King, Livingston, McKinley, McLean, Rowan, Sanford, Smith of Md., Tazewell, Troup, Tyler, White, Woodbury.

Those who voted in the negative are,

Messrs. Barton, Bell, Burnet, Chase, Clayton, Foot, Frelinghuysen, Holmes, Johnston, Knight, Marks, Robbins, Seymour, Silsbee, Sprague, Webster, Willey.

So it was

Resolved, That the Senate do advise and consent to the appointment of William Fulton, agreeably to the nomination.

The Senate proceeded to consider the nomination of John Patterson, contained in the message of the 5th January; and

On the question, Will the Senate advise and consent to this appointment?

It was determined in the affirmative, { Yeas 28
Nays 15

On motion by Mr. Holmes,

The yeas and nays being desired by one-fifth of the Senators present,
Those who voted in the affirmative are,

Messrs. Adams, Barnard, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Forsyth, Frelinghuysen, Grundy, Hayne, Hendricks, Iredell, Kane, King, Knight, Livingston, McKinley, McLean, Rowan, Sanford, Smith of S. C., Tazewell, Troup, Tyler, White, Woodbury.

Those who voted in the negative are,

Messrs. Barton, Bell, Burnet, Chase, Clayton, Foot, Holmes, Johnston, Marks, Robbins, Seymour, Silsbee, Sprague, Webster, Willey.

So it was

Resolved, That the Senate do advise and consent to the appointment of John Patterson, agreeably to the nomination.

The Senate proceeded to consider the nomination of George M. Dallas, contained in the last-mentioned message; and

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

Mr. White, from the Committee on Indian Affairs, to whom was referred the nomination of John Phagan, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the nomination of Samuel Herrick be recommitted to the Committee on the Judiciary.

THURSDAY, MARCH 18, 1830.

Mr. Foot submitted the following motion :

Resolved, That it is the unquestionable right of the Senate to call in respectful terms upon the President of the United States for such information as may be in his possession, and which the Senate deem necessary to the faithful discharge of the duties imposed upon it by the Constitution, and more especially the duties resulting from matters which the Constitution makes it the duty of the President to submit to the Senate for its advice and consent.

The Senate proceeded to consider the motion ; and

On motion by Mr. Rowan,

Ordered, That it lie on the table.

Mr. Sprague submitted the following motion :

Resolved, That the President be requested to lay before the Senate all representations and communications which have been made to the President and to the Secretary of the Treasury, respectively, relative to the appointment of Joshua Carpenter to the office of collector of the customs for the district of Penobscot, in Maine.

The Senate proceeded to consider the motion ; and

On motion by Mr. Woodbury,

Ordered, That it lie on the table.

The Senate resumed the consideration of the message of the 5th of January nominating George M. Dallas and others to offices ; and

Resolved, That the Senate do advise and consent to the appointments of John M. Davis, Charles Slade, William Lyon, Zephaniah Drake, Garret D. Wall, Samuel Judah, James A. Hamilton, John Speed Smith, John M. McCalla, Heman Lowry, Daniel Kellog, George Shannon, and Augustus Jones, agreeably to their respective nominations.

Ordered, That the nominations of Samuel Cushman, Benjamin F. Linton, Fk. Hy. Duperier, and Asa Child lie on the table.

Ordered, That the nomination of Samuel McRoberts be recommitted to the Committee on the Judiciary.

The following message was received from the President of the United States, by Mr. Donaldson, his Secretary :

To the Senate of the United States :

I nominate Charles B. Talmage to be paymaster in the Army for four years from the 27th of March instant, at which time his present appointment will expire.

Jehiel Brooks, of Louisiana, to be Indian agent at Red River, in place of Thomas Griffen, deceased.

ANDREW JACKSON.

MARCH 18, 1830.

The message was read.

Mr. Tazewell, from the Committee on Foreign Relations, to whom was referred the nomination of David Porter, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of David Porter, agreeably to the nomination.

The Senate resumed the consideration of the message of the 3d February, nominating Louis McLane and others to offices; and

Resolved, That they do advise and consent to the appointment of Isaac Austin Hayes, Francis B. Ogden, Daniel C. Croxall, William Daniel Patterson, Charles Rhind, Frederick Kahl, Sidney Mason, John S. Meircken, William Stirling, William Troost Simons, Frederick Schillow, Theodore Privat, John Lenox Kennedy, Silas K. Everett, and Joseph Washington Elliot Wallace, agreeably to their respective nominations.

Ordered, That the nominations of William Shaler, John George Schwarz, Asa Worthington, and John G. Boker lie on the table.

Mr. Woodbury, from the Committee on Commerce, to whom was referred the message of the 10th inst. nominating Thomas F. Knox to office, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of Thomas F. Knox, agreeably to the nomination.

A motion was made by Mr. Barton to remove the injunction of secrecy from the proceedings on the nomination of George Shannon and William Fulton; and

On motion by Mr. Woodbury,

Ordered, That it lie on the table.

FRIDAY, MARCH 19, 1830.

The Vice President laid before the Senate a letter from the Honorable Joseph M. White, the Delegate of the Territory of Florida, inclosing representations against the confirmation of the nomination of Benjamin S. Wright.

Ordered, That the letter, together with the nomination of Benjamin S. Wright, be referred to the Committee on the Judiciary.

Ordered, That the message nominating Frederick R. Conway be referred to the Committee on Public Lands.

The Senate proceeded to consider the message nominating Isaac Hill and others to offices; and

Resolved, That they do advise and consent to the appointment of William B. Lewis, agreeably to the nomination.

Mr. Woodbury, from the Committee on Commerce, to whom was referred the nomination of Peter Hotz, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of Peter Hotz, agreeably to the nomination.

Mr. Woodbury, from the Committee on Commerce, to whom were referred, the 10th and 12th instant, the nominations of custom-house officers, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of David B. McNeil, John P. Osborne, John Crowninshield, John Grant, jr., and John T. Vernor, agreeably to their respective nominations.

The Senate proceeded to consider the nomination of William E. Hayne, contained in the message of the 12th January; and

Resolved, That they do advise and consent to the appointment of William E. Hayne, agreeably to the nomination.

The Senate proceeded to consider the message of the 8th instant nominating Daniel Burrows and others to offices; and

Resolved, That they do advise and consent to the appointment of Daniel Burrows, John Chew, George W. Briscoe, William Nelson, James Wade, John D. Jones, William Joyner, John Stevens, Archibald Clarke, Lyman Briggs, Robert Mitchell, William M. Loftin, and Gideon Fitz, agreeably to their respective nominations.

The Senate proceeded to consider the message of the 3d instant, nominating Conway Whittle to office; and

Resolved, That they do advise and consent to the appointment of Conway Whittle, agreeably to the nomination.

The Senate proceeded to consider the message of the 14th January nominating Joshua Carpenter and others to be officers of the customs.

On motion by Mr. Sprague,

That the nomination of Joshua Carpenter lie on the table,

It was determined in the negative, { Yeas 21
Nays 25

On motion by Mr. Barton,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Barton, Bell, Burnet, Chase, Clayton, Foot, Frelinghuysen, Hendricks, Holmes, Johnston, Knight, Marks, Noble, Robbins, Ruggles, Seymour, Silsbee, Smith of S. C., Sprague, Webster, Willey.

Those who voted in the negative are,

Messrs. Adams, Barnard, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hayne, Iredell, Kane, King, Livingston, McKinley, McLean, Rowan, Sanford, Smith of Md., Tazewell, Troup, Tyler, White, Woodbury.

On the question, Will the Senate advise and consent to the appointment of Joshua Carpenter?

It was determined in the affirmative, { Yeas 27
Nays 19

On motion by Mr. Holmes,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Adams, Barnard, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hayne, Hendricks, Iredell, Kane, King, Livingston, McKinley, McLean, Rowan, Sanford, Smith of Md., Smith of S. C., Tazewell, Troup, Tyler, White, Woodbury.

Those who voted in the negative are,

Messrs. Barton, Bell, Burnet, Chase, Clayton, Foot, Frelinghuysen, Holmes, Johnston, Knight, Marks, Noble, Robbins, Ruggles, Seymour, Silsbee, Sprague, Webster, Willey.

So it was

Resolved, That the Senate do advise and consent to the appointment of Joshua Carpenter.

On motion by Mr. Holmes,

Ordered, That the nomination of William King lie on the table.

MONDAY, MARCH 22, 1830.

The following messages were received from the President of the United States, by Mr. Donaldson, his Secretary:

To the Senate of the United States :

GENTLEMEN: I nominate General James Davis, of Alabama, consul of the United States at Guazacualco, in Mexico, in place of — — Boyer, withdrawn.

ANDREW JACKSON.

MARCH 18, 1830.

To the Senate of the United States :

I nominate Charles F. Spering to be a first lieutenant of marines, from the 31st day of January, 1827, instead of the 19th February, 1828, the date of his present commission as a first lieut. of marines.

ANDREW JACKSON.

WASHINGTON CITY, 19th March, 1830.

To the Senate of the United States :

I nominate Nash Legrand to be Navy agent for the port of Norfolk, Va., for four years from the 8th day of August, 1829.

William L. Robeson to be Navy agent for the port of New Orleans, La., for four years from the 27 Ap'l, 1829.

Charles P. Tutt to be Navy agent for the port of Pensacola, Florida, for four years from the 13th May, 1829.

John Laighton to be Navy agent for the port of Portsmouth, New Hampshire, for four years from the 24th April, 1829.

Philo White to be Navy agent for the port of Lima, So. Am'a, for four years.

ANDREW JACKSON.

WASHINGTON CITY, 19 March, 1830.

The messages were severally read.

Ordered, That the message nominating Charles F. Spering for promotion, and the message nominating Charles Legrand and others to be navy agents, be severally referred to the Committee on Naval Affairs.

Mr. Marks submitted the following motion:

Resolved, That the President of the United States be requested to inform the Senate of the cause or causes that existed for the removal of William Clarke from the office of United States Treasurer.

The Senate proceeded to consider the motion; and

On the question to agree thereto,

It was determined in the negative, { Yeas 20
Nays 26

On motion by Mr. Marks,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Barton, Bell, Burnet, Chambers, Chase, Clayton, Foot, Frelinghuysen, Hendricks, Holmes, Johnston, Knight, Marks, Noble, Robbins, Ruggles, Seymour, Silsbee, Sprague, Willey.

Those who voted in the negative are,

Messrs. Adams, Barnard, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hayne, Iredell, Kane, King, Livingston, McLean, Rowan, Sanford, Smith of Md., Smith of S. C., Tazewell, Troup, Tyler, Webster, White, Woodbury.

The Senate proceeded to consider the nomination of John Campbell, contained in the message of the 10th February; and

On the question, Will the Senate advise and consent to the appointment of John Campbell?

It was determined in the affirmative, { Yeas 26
Nays 20

On motion by Mr. Webster,

The yeas and nays being desired by one-fifth of the Senators present,
Those who voted in the affirmative are,

Messrs. Adams, Barnard, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hayne, Hendricks, Iredell, Kane, King, Livingston, McLean, Rowan, Sanford, Smith of Md., Smith of S. C., Tazewell, Troup, Tyler, White, Woodbury.

Those who voted in the negative are,

Messrs. Barton, Bell, Burnet, Chambers, Chase, Clayton, Foot, Frelinghuysen, Holmes, Johnston, Knight, Marks, Noble, Robbins, Rugles, Seymour, Silsbee, Sprague, Webster, Willey.

So it was

Resolved, That the Senate do advise and consent to the appointment of John Campbell as Treasurer of the United States.

The Senate resumed the consideration of the message nominating Joshua Carpenter and others to offices; and

Resolved, That they do advise and consent to the appointment of William Wood and Pierre A. Barker, agreeably to their nominations respectively.

On motion by Mr. Webster,

Ordered, That the nomination of Samuel Swartwout lie on the table.

Mr. Woodbury presented a paper signed by Gideon Beck, in relation to the nomination of John P. Decatur.

Mr. Kane presented a letter from William H. Harrison, relating to the nomination of Moses Dawson.

TUESDAY, MARCH 23, 1830.

The Vice-President laid before the Senate a letter from the Hon. Joseph M. White, relating to the nomination of Charles P. Tutt to be Navy agent at Pensacola.

Ordered, That it be referred to the Committee on Naval Affairs.

Mr. Willey submitted the following motion:

Resolved, That the President of the United States be requested to communicate to the Senate the cause or causes which induced him to remove Nathan Smith from the office of attorney for the district of Connecticut.

The Senate proceeded to consider the motion; and

On the question to agree thereto,

It was determined in the negative, { Yeas 19
Nays 26

On motion by Mr. Barton,

The yeas and nays being desired by one-fifth of the Senators present,
Those who voted in the affirmative are,

Messrs. Barton, Bell, Burnet, Chambers, Chase, Clayton, Foot, Frelinghuysen, Hendricks, Holmes, Johnston, Knight, Marks, Robbins, Rugles, Seymour, Silsbee, Sprague, Willey.

Those who voted in the negative are,

Messrs. Adams, Barnard, Benton, Bibb, Brown, Dickerson, Dudley,

Ellis, Forsyth, Grundy, Hayne, Iredell, Kane, King, Livingston, McLean, Rowan, Sanford, Smith of Md., Smith of S. C., Tazewell, Troup, Tyler, Webster, White, Woodbury.

The Senate proceeded to consider the message nominating Charlas B. Talmage and Jehiel Brooks; and

Resolved, That they do advise and consent to the appointment of Jehiel Brooks, agreeably to the nomination.

Mr. Rowan, from the Committee on the Judiciary, to whom was referred, the 12th instant, the nomination of T. P. Devereux, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of T. P. Devereux, agreeably to the nomination.

Mr. Rowan, from the Committee on the Judiciary, to whom was re-committed, the 17th instant, the nomination of Samuel Herrick, reported.

The Senate proceeded to consider the nomination; and

On the question Will the Senate advise and consent to the appointment of Samuel Herrick?

It was determined in the negative, { Yeas..... 22
Nays..... 23

On motion by Mr. Chase,

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are,

Messrs. Adams, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Grundy, Hayne, Hendricks, Iredell, Kane, King, Livingston, Rowan, Sanford, Smith of Md., Tazewell, Troup, Tyler, White, Woodbury.

Those who voted in the negative are,

Messrs. Barnard, Barton, Bell, Burnet, Chambers, Chase, Clayton, Foot, Forsyth, Frelinghuysen, Holmes, Johnston, Knight, McLean, Marks, Robbins, Ruggles, Seymour, Silsbee, Smith of S. C., Sprague, Webster, Willey.

So it was

Resolved, That the Senate do not advise and consent to the appointment of Samuel Herrick.

The Senate resumed the consideration of the message of the 14th January nominating Joshua Carpenter and others to offices; and

Resolved, That they do advise and consent to the appointment of Aaron Ogden, Jacob Gould, Jere Carrier, Baron S. Doty, Seymour Scoville, Henry V. Low, John Pemberton, William Duncan, James McGuire, Charles McIndoe, Henry M. Cook, Stephen Charles, Algernon S. Thruston, Gabriel Floyd, Peter K. Wagner, James Madison Campbell, Lemuel T. Lloyd, William Hunter, and Andrew Mack, agreeably to their respective nominations.

On the question, Will the Senate advise and consent to the appointment of Martin Gordon?

It was determined in the affirmative, { Yeas..... 25
Nays..... 21

On motion by Mr. Woodbury,

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are,

Messrs. Adams, Barnard, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hayne, Iredell, Kane, King, Livingston, McLean, Rowan, Sanford, Smith of Md., Smith of S. C., Tazewell, Troup, Tyler, White, Woodbury.

Those who voted in the negative are,

Messrs. Barton, Bell, Burnet, Chambers, Chase, Clayton, Foot, Frelinghuysen, Hendricks, Holmes, Johnston, Knight, Marks, Naudain, Robbins, Ruggles, Seymour, Silsbee, Sprague, Webster, Willey.

So it was

Resolved, That the Senate do advise and consent to the appointment of Martin Gordon, agreeably to the nomination.

Ordered, That the nominations of Mordecai M. Noah and Thomas R. Johnson lie on the table.

On motion by Mr. Chambers that the nomination of Dabney S. Carr lie on the table,

It was determined in the affirmative, { Yeas..... 23
Nays..... 22

On motion by Mr. Woodbury,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Barton, Bell, Burnet, Chambers, Chase, Clayton, Foot, Frelinghuysen, Hendricks, Holmes, Knight, Marks, Naudain, Robbins, Ruggles, Seymour, Silsbee, Smith of S. C., Sprague, Tazewell, Tyler, Webster, Willey.

Those who voted in the negative are,

Messrs. Adams, Barnard, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hayne, Iredell, Kane, King, Livingston, McLean, Rowan, Sanford, Smith of Md., Troup, White, Woodbury.

The Senate proceeded to consider the message nominating Thomas Loomis; and

Resolved, That they do advise and consent to the appointment of Thomas Loomis, agreeably to the nomination.

The Senate proceeded to consider the message nominating Sheldon Clarke and others to be appraisers; and

Resolved, That they do advise and consent to the appointment of Lyde Goodwin, agreeably to the nomination.

Ordered, That the nomination of Jeromus Johnson lie on the table.

The Senate proceeded to consider the message nominating Daniel M. Durrell to office; and

Resolved, That the Senate do advise and consent to the appointment of Daniel M. Durrell, agreeably to the nomination.

WEDNESDAY, MARCH 24, 1830.

The following message was received from the President of the United States, by Mr. Donaldson, his secretary:

To the Senate of the United States:

I nominate to the Senate Joseph Washington Elliot Wallace to be consul of the United States for the port of Galveston, in Mexico.

ANDREW JACKSON.

MARCH 24, 1830.

The message was read.

Mr. Hayne, from the select committee appointed the 12th instant to take into consideration the rules in relation to the confidential proceedings of the Senate in its executive capacity, submitted a report; which was read.

Ordered, That it be printed.

On motion by Mr. Barnard,

It was agreed that the Senate reconsider the vote on the nomination of Samuel Herrick.

Ordered, That the said nomination lie on the table.

Mr. Chambers submitted the following motion :

Resolved, That the President of the United States be respectfully requested to inform the Senate the reasons which have induced him to remove William B. Barney from the office of naval officer for the port of Baltimore.

The Senate proceeded to consider the motion ; and

On the question to agree thereto,

It was determined in the negative, { Yeas 19
Nays 27

On motion by Mr. Smith, of Md.,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Barton, Bell, Burnet, Chambers, Chase, Clayton, Foot, Hendricks, Holmes, Johnston, Knight, Naudain, Noble, Robbins, Ruggles, Seymour, Silsbee, Sprague, Willey.

Those who voted in the negative are,

Messrs. Adams, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Forsyth, Frelinghuysen, Grundy, Hayne, Iredell, Kane, King, Livingston, McLean, Rowan, Sanford, Smith of Md., Smith of S. C., Tazewell, Troup, Tyler, Webster, White, Woodbury.

The Senate resumed the consideration of the message of the 3d February, nominating Lewis McLane and others to offices ; and

Resolved, That the Senate do advise and consent to the appointment of Woodbridge Odlin agreeably to the nomination.

The Senate resumed the consideration of the message nominating Joshua Carpenter and others.

On the question, " Will the Senate advise and consent to the appointment of Samuel Phillips ? "

It was determined in the affirmative, { Yeas ... 24
Nays 21

On motion by Mr. Grundy,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Adams, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hayne, Hendricks, Iredell, Kane, King, Livingston, McLean, Rowan, Sanford, Smith of Md., Tazewell, Troup, Tyler, White, Woodbury.

Those who voted in the negative are,

Messrs. Barton, Bell, Burnet, Chambers, Chase, Clayton, Foot, Frelinghuysen, Holmes, Johnston, Knight, Naudain, Noble, Robbins, Ruggles, Seymour, Silsbee, Smith of S. C., Sprague, Webster, Willey.

On the question, Will the Senate advise and consent to the appointment of John P. Boyd ?

It was determined in the affirmative, { Yeas 25
Nays 19

On motion by Mr. Barton,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Adams, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Grundy, Hayne, Hendricks, Iredell, Kane, King, Livingston, McLean, Robbins, Rowan, Sanford, Smith of Md., Smith of S. C., Tazewell, Troup, Tyler, White, Woodbury.

Those who voted in the negative are,

Messrs. Barton, Bell, Burnet, Chambers, Chase, Clayton, Foot, Frelinghuysen, Holmes, Johnston, Knight, Marks, Naudain, Ruggles, Seymour, Silsbee, Sprague, Webster, Willey.

So it was

Resolved, That the Senate do advise and consent to the appointment of Samuel Phillips and John P. Boyd, agreeably to their nominations respectively.

Resolved, That the Senate do advise and consent to the appointment of William Beach, agreeably to the nomination.

Ordered, That the nominations of John Swasey and Timothy Souther lie on the table.

THURSDAY, MARCH 25, 1830.

The following message was received from the President of the United States, by Mr. Donaldson, his secretary:

To the Senate of the United States :

I recall the nomination of James Davis as consul of the United States at Guazacualco, and nominate him as consul at Santa Fé, in the Republic of Mexico.

ANDREW JACKSON.

MARCH 25, 1830.

The message was read.

Mr. Sanford presented a memorial of Jacob Vanderpool and others, late inspectors of the customs for the port of New York, representing that they have been removed from office by Samuel Swartwout, the present collector, without sufficient cause, and praying that his nomination for that office may not be confirmed.

The memorial was read ; and

Ordered, That it be referred to the Committee on Commerce.

Mr. Holmes presented a representation of Gerret Forbes respecting the nomination of Samuel Swartwout.

Ordered, That it be referred to the Committee on Commerce.

Mr. Dudley presented a letter from Samuel Swartwout relating to his nomination.

Ordered, That it lie on the table.

Mr. Chambers submitted the following motion :

Resolved, That after the confirmation or rejection of any person nominated by the President to the Senate, the Secretary shall furnish any member of the Senate who may apply for the same extracts from the Journal stating the names of the persons and the offices to which they were nominated.

The Senate proceeded to consider the motion ; and,

On motion by Mr. Rowan,

Ordered, That it lie on the table.

The Senate proceeded to consider the message of the 3d instant nominating Byrd Brandon and George Adams to office ; and

Resolved, That the Senate do advise and consent to the appointment of Byrd Brandon, agreeably to the nomination.

The Senate proceeded to consider the message nominating William L. May and others to be registers and receivers ; and

Resolved, That they do advise and consent to the appointment of William L. May, William H. Hurst, Joseph H. Lake, Thomas Flood, David C. Skinner, John D. Wolverton, William L. Robeson, Isaiah Ingham, James C. Sloo, John H. Vincent, Gurdon Sattonestall, Benjamin Robert Rogers, Charles Prentice, John Taylor, Arthur St. Clair, Israel T. Canby, Robert Brackenridge, James P. Drake, Samuel Millroy,

Jonathan McCarty, Thomas G. Davidson, Alexander Gordon Penn, and William Lewis, agreeably to their respective nominations.

The Senate proceeded to consider the nomination of James D. Westcott, jr., contained in the message of the 3d February, nominating Robert Stannard and others; and

On the question, Will the Senate advise and consent to the appointment of James D. Westcott, jr.?

It was determined in the affirmative, { Yeas..... 25
Nays..... 21

On motion by Mr. Webster,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Barnard, Benton, Brown, Dickerson, Dudley, Ellis, Forsyth, Frelinghuysen, Grundy, Hayne, Hendricks, Iredell, Kane, King, Livingston, McKinley, McLean, Rowan, Sanford, Smith of Md., Tazewell, Troup, Tyler, White, Woodbury.

Those who voted in the negative are,

Messrs. Adams, Barton, Bell, Bibb, Burnet, Chambers, Chase, Clayton, Foot, Holmes, Johnston, Marks, Naudain, Robbins, Ruggles, Seymour, Silsbee, Smith of S. C., Sprague, Webster, Willey.

So it was

Resolved, That the Senate do advise and consent to the appointment of James D. Westcott, jr., agreeably to the nomination.

The Senate resumed the consideration of the message of the 14th January nominating Joshua Carpenter and others.

On motion by Mr. Holmes that the nomination of William King be recommitted to the Committee on Commerce, with instructions that they take such testimony in regard to any charges made against said King as may be necessary and proper, and that they are authorized to send for persons and papers and to compel the attendance of witnesses, and that they make a detailed report of all the facts proved,

It was determined in the negative, { Yeas..... 14
Nays..... 26

On motion by Mr. Holmes,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Bell, Burnet, Chambers, Chase, Foot, Frelinghuysen, Holmes, Marks, Naudain, Ruggles, Seymour, Silsbee, Sprague, Webster.

Those who voted in the negative are,

Messrs. Adams, Barton, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hayne, Iredell, Johnston, Kane, King, Livingston, McKinley, McLean, Rowan, Smith of Md., Smith of S. C., Tazewell, Troup, Tyler, White, Woodbury.

On the question, Will the Senate advise and consent to the appointment of William King?

It was determined in the affirmative, { Yeas..... 25
Nays..... 17

On motion by Mr. Grundy,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Adams, Barnard, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hayne, Iredell, Kane, King, Livingston, McKinley, McLean, Rowan, Smith of Md., Smith of S. C., Tazewell, Troup, Tyler, White, Woodbury.

Those who voted in the negative are,

Messrs. Barton, Bell, Burnet, Chambers, Chase, Clayton, Foot, Fre-

linghuysen, Holmes, Johnston, Marks, Naudain, Ruggles, Seymour, Silsbee, Sprague, Webster.

So it was

Resolved, That the Senate do advise and consent to the appointment of William King, agreeably to the nomination.

On motion by Mr. Tyler,

Ordered, That the further consideration of the nominations of Mordecai M. Noah, Dabney S. Carr, Moses Dawson, Isaac Hill, and Amos Kendall be postponed to Monday, the 12th day of April next.

FRIDAY, MARCH 26, 1830.

The Senate resumed the consideration of the message nominating Isaac Hill and others ; and

Resolved, That they do advise and consent to the appointment of Thomas L. Smith, agreeably to the nomination.

The Senate resumed the consideration of the message nominating Joshua Carpenter and others to be officers of the customs ; and,

On motion by Mr. Woodbury,

Ordered, That the nomination of John P. Decatur as collector at Portsmouth be recommitted, with instructions to notify him of the objections, and with power to take evidence for and against those objections.

The Senate resumed the consideration of the nomination of George Reed, jr., contained in the message of the 30th December ; and

On the question, Will the Senate advise and consent to the appointment of George Reed, jr.?

It was determined in the affirmative, { Yeas..... 24
Nays 22

On motion by Mr. Woodbury,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Adams, Barnard, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hayne, Iredell, Kane, King, Livingston, McKinley, McLean, Rowan, Sanford, Smith of Md., Tazewell, Troup, White, Woodbury.

Those who voted in the negative are,

Messrs. Barton, Bell, Burnet, Chambers, Chase, Clayton, Foot, Frelinghuysen, Hendricks, Holmes, Johnston, Knight, Marks, Naudain, Robbins, Ruggles, Seymour, Silsbee, Smith of S. C., Sprague, Webster, Willey.

So it was

Resolved, That the Senate do advise and consent to the appointment of George Reed, jr., agreeably to the nomination.

MONDAY, MARCH 29, 1830.

The following messages were received from the President of the United States, by Mr. Donaldson, his Secretary :

To the Senate of the United States :

I nominate Leonard Jarvis to be collector of the customs for the district and inspector of the revenue for the port of Passamaquoddy, in the State of Maine, from the 1st of April, 1830, when the commission of Stephen Thacher will expire; John M. Fontane to be surveyor and in-

spector of the revenue for the port of Fernandina, in the Territory of Florida, from the 2d day of May, 1830, when the commission of Charles Seton will expire.

I also nominate, for reappointment, Ebenezer Elmer to be collector of the customs for the district and inspector of the revenue for the port of Bridgetown, in the State of New Jersey, from the 6th day of May, 1830, when his present commission will expire.

ANDREW JACKSON.

WASHINGTON, *March 29, 1830.*

To the Senate of the United States :

I nominate William Wright to be register of the land office for the district of lands subject to sale at Palmyra, in the State of Missouri, vice William Carson, removed.

I also nominate, for reappointment, Charles Downing, to be register of the land office for the district of lands subject to sale at St. Augustine, in the Territory of Florida, from the 22d day of May, 1830, when his present commission will expire; William H. Allen to be receiver of public moneys for the district of lands subject to sale at St. Augustine, in the Territory of Florida, from the 22d day of May, 1830, when his present commission will expire.

ANDREW JACKSON.

WASHINGTON, *March 27, 1830.*

To the Senate of the United States :

I nominate to the Senate Albert Smith, of Maine, to be marshal of the United States for the district of Maine, in the place of Benjamin Green, removed.

ANDREW JACKSON.

MARCH 29, 1830.

The messages were read.

On motion by Mr. McKinley,

Ordered, That the Committee on Finance be discharged from the further consideration of the nomination of John P. Decatur, recommitted to that committee the 26th instant.

The Senate proceeded to consider the nomination of John P. Decatur; and

On the question, Will the Senate advise and consent to this appointment?

It was determined in the negative, {	Yea.....	1
	Nays.....	43

On motion by Mr. Seymour,

The yeas and nays being desired by one-fifth of the Senators present, Mr. Dickerson voted in the affirmative.

Those who voted in the negative are,

Messrs. Adams, Barnard, Barton, Bell, Benton, Bibb, Brown, Burnet, Chambers, Chase, Clayton, Dudley, Ellis, Foot, Forsyth, Frelinghuysen, Grundy, Hayne, Hendricks, Holmes, Iredell, Johnston, Kane, King, Knight, Livingston, McKinley, McLean, Marks, Naudain, Robbins, Rowan, Ruggles, Sanford, Seymour, Silsbee, Smith of Md., Sprague, Troup, Webster, White, Willey, Woodbury.

So it was

Resolved, That the Senate do not advise and consent to the appointment of John P. Decatur.

The Senate resumed the consideration of the nomination of Samuel Swartwout; and

On the question, Will the Senate advise and consent to this appointment?

It was determined in the affirmative, { Yeas..... 25
Nays 21

On motion by Mr. Bibb,

The yeas and nays being desired by one-fifth of the Senators present,
Those who voted in the affirmative are,

Messrs. Adams, Barnard, Benton, Brown, Chase, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hayne, Hendricks, Iredell, Kane, King, Livingstone, McKinley, McLean, Rowan, Sanford, Smith of Md., Tazewell, Troup, White, Woodbury.

Those who voted in the negative are,

Messrs. Barton, Bell, Bibb, Burnet, Chambers, Clayton, Foot, Frelinghuysen, Holmes, Johnston, Knight, Marks, Naudain, Robbins, Ruggles, Seymour, Silsbee, Smith of S. C., Sprague, Webster, Willey.

So it was

Resolved, That the Senate do advise and consent to the appointment of Samuel Swartwout, agreeably to the nomination.

The Senate resumed the consideration of the message nominating Louis McLane and others; and

Resolved, That they do advise and consent to the appointment of William Shaler and Asa Worthington, agreeably to their respective nominations.

Ordered, That the nomination of John George Schwarz lie on the table.

The Senate resumed the consideration of the message nominating George M. Dallas and others; and

Resolved, That they do advise and consent to the appointment of Frederick H. Duperier and Benjamin F. Linton, agreeably to their respective nominations.

On the question, Will the Senate advise and consent to the appointment of Samuel Cushman?

It was determined in the negative, { Yeas..... 9
Nays..... 36

On motion by Mr. Webster,

The yeas and nays being desired by one-fifth of the Senators present,
Those who voted in the affirmative are,

Messrs. Barnard, Dudley, Ellis, Forsyth, Hayne, Kane, Rowan, Sanford, Woodbury.

Those who voted in the negative are,

Messrs. Adams, Barton, Bell, Benton, Bibb, Brown, Burnet, Chambers, Chase, Clayton, Dickerson, Foot, Frelinghuysen, Grundy, Holmes, Iredell, Johnston, King, Knight, Livingston, McKinley, McLean, Marks, Naudain, Noble, Robbins, Ruggles, Seymour, Silsbee, Smith of Md., Smith of S. C., Sprague, Tazewell, Troup, Webster, White.

So it was

Resolved, That the Senate do not advise and consent to the appointment of Samuel Cushman.

Mr. Rowan, from the Committee on the Judiciary, to whom the nomination of Samuel McRoberts was recommitted, the 18th instant, reported.

The Senate proceeded to consider the message of March 24 nominating Joseph Washington Elliot Wallace to office; and

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

The Senate proceeded to consider the message nominating James Davis to office; and

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the message of the 16th instant nominating George Black to office be referred to the Committee on Commerce.

Ordered, That the nomination of Charles B. Talmage, contained in the message of the 18th March, be referred to the Committee on Military Affairs.

The Senate proceeded to consider the report of the committee, made the 24th instant, on the rules for the transaction of executive business; and,

On motion by Mr. Webster,

Ordered, That it lie on the table.

MONDAY, APRIL 5, 1830.

The following messages were received from the President of the United States, by Mr. Donaldson, his secretary:

To the Senate of the United States:

GENTLEMEN: I nominate John K. Campble, of Florida, attorney for the southern district of Florida, in place of John G. Stower, whose nomination is now pending before the Senate, and who has resigned.

ANDREW JACKSON.

MARCH 31, 1830.

To the Senate of the United States:

I nominate for reappointment James C. Dickson, to be receiver of public moneys for the district of lands subject to sale at Mount Salus, in the State of Mississippi, from the 10th day of May, 1830, when his present commission will expire.

ANDREW JACKSON.

WASHINGTON, March 31, 1830.

To the Senate of the United States:

I nominate to the Senate John Hamm, of Ohio, to be chargé d'affaires of the United States to Central America.

ANDREW JACKSON.

MARCH 31, 1830.

To the Senate of the United States:

I nominate to the Senate James W. Exum, of Florida, to be marshal of the United States for the district of West Florida, in the place of Adam Gordon, removed.

ANDREW JACKSON.

MARCH 31, 1830.

To the Senate of the United States:

I nominate Willis M. Green to be receiver of public moneys for the district of lands subject to sale at Palmyra, in the State of Missouri, vice Henry T. Lane, removed.

ANDREW JACKSON.

WASHINGTON, March 31, 1830.

To the Senate of the United States :

I nominate to the Senate Daniel M. Durell, of New Hampshire, to be attorney of the United States for the district of New Hampshire, in place of Samuel Cushman, rejected.

ANDREW JACKSON.

APRIL 5th, 1830.

To the Senate of the United States :

I nominate William Pickering to be collector of the customs for the district of Portsmouth, in the State of New Hampshire, vice John P. Decatur, who was commissioned during the recess of the Senate and rejected.

ANDREW JACKSON.

WASHINGTON April 5, 1830.

To the Senate of the United States :

I nominate Charles Leary to be collector of the customs for the district and inspector of the revenue for the port of Vienna, in the State of Maryland, from the 31st day of March, 1830, vice John Ennalls, resigned.

ANDREW JACKSON.

WASHINGTON, March 30, 1830.

The messages were severally read.

Ordered, That the message nominating William Pickering, the message nominating Charles Leary, and the nominations of John M. Fontane and Ebenezer Elmer, be referred to the Committee on Commerce.

Mr. Benton, from the Committee on Military Affairs, to whom was referred the nomination of Charles B. Talmage, reported.

Whereupon,

Resolved, That the Senate do advise and consent to the appointment of Charles B. Talmage, agreeably to the nomination.

Mr. Woodbury submitted the following motion; which was considered, and ordered to lie on the table :

Resolved, That it is expedient to have a consul appointed to reside at Vienna, in Austria.

Mr. Barton submitted the following motion ; which was considered and agreed to.

Resolved, That the President of the United be requested to transmit to the Senate any record or other information in the Department of War, or before the President, respecting the conviction of Wharton Rector of any crime in Missouri, before his departure for Arkansas, or touching his fitness for the office to which he has been nominated, and any other evidence in the Department relative to the fitness of Wharton Rector for the office of Indian agent.

Mr. Rowan, from the Committee on the Judiciary, to whom the nomination of Benjamin S. Wright was referred the 19th March, reported.

Whereupon,

Resolved, That the Senate do advise and consent to the appointment of Benjamin S. Wright, agreeably to the nomination.

The Senate proceeded, by unanimous consent, to consider the message of this day, nominating John K. Campble to office ; and,

Resolved, That they do advise and consent to the appoint of John Campble, agreeably to the nomination.

The Senate proceeded to consider the message of the 29th March nominating Albert Smith to office ; and

Resolved, That they do advise and consent to the appointment of Albert Smith, agreeably to the nomination.

The Senate proceeded to consider the nomination of Leonard Jarvis, contained in the message of the 29th March; and

Resolved, That they do advise and consent to the appointment of Leonard Jarvis, agreeably to the nomination.

The Senate resumed the consideration of the message of the 3d February, nominating Sheldon Clarke and others to offices; and

Resolved, That they do advise and consent to the appointment of Levi R. Lincoln, agreeably to the nomination.

Mr. Woodbury, from the Committee on Commerce, to whom was referred the message of the 16th March, nominating George Black to office, reported.

Whereupon,

Resolved, That the Senate do advise and consent to the appointment of George Black, agreeably to the nomination.

The Senate resumed the consideration of the nomination of Asa Child, contained in the message of the 5th January; and

Ordered, That it lie on the table,

The Senate resumed the consideration of the motion made the 18th March, to remove the injunction of secrecy from the proceedings on certain nominations; which motion was amended and agreed to, as follows:

Resolved, That the injunction of secrecy be removed from the proceedings of the Senate on the nomination of William Fulton.

The Senate proceeded to consider the message of the 29th March, nominating William Wright and others; and

On motion by Mr. Noble,

The Senate adjourned.

THURSDAY, APRIL 8, 1830.

The Senate resumed the consideration of the message nominating William Wright and others to offices; and

Ordered, That the nomination of William Wright lie on the table.

Ordered, That the nominations of Charles Downing and William H. Allen be referred to the Committee on Public Lands.

Mr. Woodbury, from the Committee on Commerce, to whom the nominations of Charles Leary and William Pickering were referred, reported.

Whereupon,

Resolved, That the Senate do advise and consent to the appointments of Charles Leary and William Pickering, agreeably to the respective nominations.

The Senate proceeded to consider the message of 5th April nominating Daniel M. Durell to office; and

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

The Senate proceeded to consider the message of the 5th April, nominating James W. Exum to office; and

Resolved, That they do advise and consent to the appointment of James W. Exum, agreeably to the nomination.

Ordered, That the nominations of James C. Dickson and Willis M. Green, contained in the message of the 5th April, be referred to the Committee on Public Lands.

The Senate proceeded to consider the message nominating John Hamm to office; and,

On motion by Mr. Burnet,

Ordered, That it lie on the table.

MONDAY, APRIL 12, 1830.

The following message was received from the President of the United States, by Mr. Donaldson, his secretary:

To the Senate of the United States :

GENTLEMEN: In compliance with the resolution of the Senate of the 5th instant requesting the President of the United States to transmit to the Senate any record or other information in the Department of War, or before the President, respecting the conviction of Wharton Rector of any crime in Missouri, before his departure for Arkansas, or touching his fitness for the office to which he has been nominated; and any other evidence in the Department relative to the fitness of Wharton Rector for the office of Indian agent, I inclose herewith a report from the Secretary of War.

ANDREW JACKSON.

APRIL 6, 1830.

The following messages were also received from the President of the United States, by Mr. Donaldson, his secretary:

To the Senate of the United States :

I nominate John B. Murphy to be collector of the customs for the district of Teche, and inspector of the revenue for the port of Franklin, in the State of Louisiana, vice Joseph Aborn, deceased.

ANDREW JACKSON.

WASHINGTON, April 8, 1830.

To the Senate of the United States :

I nominate Charles F. Spering to be a first lieutenant of Marines from 31st January, 1827, instead of 19th February, 1828, the date of his present commission as a first lieutenant of Marines.

Nash Legrand to be Navy agent for the port of Norfolk, Va., for four years, vice Miles King, removed.

Charles P. Tutt to be Navy agent for the port of Pensacola, Florida, for four years, vice Nath'l Amory, removed.

John Loughton to be Navy agent for the port of Portsmouth, N. H., for four years, vice Matthew Harvey, declined.

ANDREW JACKSON.

WASHINGTON CITY, 9th April, 1830.

To the Senate of the United States :

GENTLEMEN: I withdraw the nominations of William L. Robeson and Philo White, now pending before the Senate, as Navy agents, these offices being no longer necessary.

ANDREW JACKSON.

APRIL 10TH, 1830.

The messages were severally read.

Ordered, That the message nominating John B. Murphy be referred to the Committee on Commerce.

Mr. Burnet submitted the following motion; which was considered and agreed to:

Resolved, That the President of the United States be requested to lay before the Senate any communications now in the Department of State touching the character, conduct, and qualifications of John Hamm,

made while the said Hamm was an applicant for reappointment to the office of marshal for the district of Ohio in the year 1822.

The Senate resumed the consideration of the message nominating John Hamm to office; and

Ordered, That it be referred to the Committee on Foreign Relations.

Mr. Woodbury, from the Committee on Commerce, to whom the nominations of John M. Fontane and Ebenezer Elmer were referred the 5th instant, reported.

Whereupon,

Resolved, That the Senate do advise and consent to the appointment of John M. Fontane and Ebenezer Elmer, agreeably to their respective nominations.

The Senate resumed the consideration of the message of the 14th January nominating Joshua Carpenter and others; and

Resolved, That they do advise and consent to the appointment of John M. Fontane and Ebenezer Elmer, agreeably to their respective nominations.

The Senate resumed the consideration of the message of the 14th January nominating Joshua Carpenter and others; and

Resolved, That they do advise and consent to the appointment of John Swasey and Timothy Souther, agreeably to their nominations respectively.

On the question, "Will the Senate advise and consent to the appointment of David Henshaw?"

It was determined in the affirmative, { Yeas 26
Nays 22

On motion by Mr. Holmes,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Adams, Barnard, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hayne, Hendricks, Iredell, Kane, King, Livingston, McKinley, McLean, Rowan, Sanford, Smith of Md., Tazewell, Troup, Tyler, White, Woodbury.

Those who voted in the negative are,

Messrs. Barton, Bell, Burnet, Chambers, Chase, Clayton, Foot, Frelinghuysen, Holmes, Johnston, Knight, Marks, Naudain, Noble, Robbins, Ruggles, Seymour, Silsbee, Smith of S. C., Sprague, Webster, Willey.

So it was

Resolved, That the Senate do advise and consent to the appointment of David Henshaw, agreeably to the nomination.

On the question, Will the Senate advise and consent to the appointment of Dabney S. Carr?

And it was decided in the affirmative, { Yeas 24
Nays 23

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Adams, Barnard, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hayne, Hendricks, Iredell, Kane, King, Livingston, McKinley, McLean, Rowan, Sanford, Smith of Md., Troup, White, Woodbury.

Those who voted in the negative are,

Messrs. Barton, Bell, Burnet, Chambers, Chase, Clayton, Foot, Frelinghuysen, Holmes, Johnston, Knight, Marks, Naudain, Robbins, Ruggles, Seymour, Silsbee, Smith of S. C., Sprague, Tazewell, Tyler, Webster, Willey.

So it was

Resolved, That the Senate do advise and consent to the appointment of Dabney S. Carr, agreeably to the nomination.

Mr. Chambers, from the Committee on the District of Columbia, to whom the message of the 3d of February nominating Christopher Neale and others as justices of the peace was referred, reported.

The Senate resumed the consideration of the message of the 10th of February, nominating Isaac Hill and others to office.

On motion by Mr. Forsyth to postpone the further consideration of the nomination of Isaac Hill until to-morrow,

It was determined in the negative, { Yeas... .. 23
Nays... .. 25

On motion by Mr. Woodbury,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Adams, Barnard, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hayne, Iredell, Kane, King, Livingston, McKinley, McLean, Rowan, Sanford, Smith, Troup, White, Woodbury.

Those who voted in the negative are,

Messrs. Barton, Bell, Burnet, Chambers, Chase, Clayton, Foot, Frelinghuysen, Hendricks, Holmes, Johnston, Knight, Marks, Naudain, Noble, Robbins, Ruggles, Seymour, Silsbee, Smith of S. C., Sprague, Tazewell, Tyler, Webster, Willey.

On the question, Will the Senate advise and consent to the appointment of Isaac Hill?

It was determined in the negative, { Yeas... .. 15
Nays... .. 33

On motion by Mr. Webster,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Benton, Bibb, Brown, Dickerson, Dudley, Grundy, Hayne, Kane, Livingston, McKinley, Rowan, Sanford, Smith of Md., White, Woodbury.

Those who voted in the negative are.

Messrs. Adams, Barnard, Barton, Bell, Burnet, Chambers, Chase, Clayton, Ellis, Foot, Forsyth, Frelinghuysen, Hendricks, Holmes, Iredell, Johnston, King, Knight, McLean, Marks, Naudain, Noble, Robbins, Ruggles, Seymour, Silsbee, Smith of S. C., Sprague, Tazewell, Troup, Tyler, Webster, Willey.

So it was

Resolved, That the Senate do not advise and consent to the appointment of Isaac Hill.

WEDNESDAY, APRIL 14, 1830.

The following messages were received from the President of the United States, by Mr. Donaldson, his Secretary:

To the Senate of the United States:

I nominate to the Senate P. L. Chouteau, present subagent to the Osage Indians, to be agent to said tribe, in place of John F. Hamtramck, removed.

APRIL 12TH, 1830.

ANDREW JACKSON.

To the Senate of the United States :

GENTLEMEN: I nominate to the Senate the persons severally named in the inclosed lists, marked A, B, and C, to the brevet appointments opposite each name respectively, to take rank from the dates as specified.

ANDREW JACKSON.

(A.)

LIST OF OFFICERS OF THE ARMY OF THE UNITED STATES WHO RECEIVED BREVETS FOR MERITORIOUS SERVICES IN THE LATE WAR WITH GREAT BRITAIN, AND WHO HAD SERVED TEN YEARS ON THEIR BREVETS SO RECEIVED, BUT HAVE NOT BEEN ADVANCED ONE GRADE, BY BREVET, ON SAID BREVETS.

Lieutenant-Colonel George Bomford, of the 1st Regiment of Artillery, to be colonel by brevet, to date the 22d December, 1824, instead of 9th February, 1825.

Lieutenant-Colonel Enos Cutler, of the 5th Regiment of Infantry, to be lt. colonel by brevet from 1st May, 1824.

Major Josiah H. Vose, of the 5th Regiment of Infantry, to be lt. colonel by brevet from 4th August, 1824.

Major David E. Twiggs, of the 1st Regiment of Infantry, to be lieutenant colonel by brevet from 21st September, 1824.

Captain Elijah Boardman, of the 2d Regiment of Infantry, to be major by brevet, to date from 1st August, 1823, instead of 31st March, 1827.

Captain Thomas J. Beall, of the 1st Regt. of Infantry, to be major by brevet, to date from 17th March, 1824, instead of 26th September, 1828.

Captain Joseph S. Nelson, of the 3rd Regt. of Infantry, to be major by brevet from 30th April, 1823.

WAR DEPARTMENT, *9th April, 1830.*

SIR: I have the honor to lay before you the annexed list of promotions in the Army of the United States.

I have the honor to be, sir, with great respect, y'r ob't serv't,
J. H. EATON.

To the PRESIDENT OF THE U. S.

(B.)

ADJUTANT-GENERAL'S OFFICE,
Washington, 9th April, 1830.

PROMOTIONS IN THE LINE OF THE ARMY OF THE UNITED STATES.

Second Regiment of Artillery.

Br. 2d Lt. John C. Casey to be 2d lt., 1 July, 1829, vice Ingalls, resigned.

Fourth Regiment of Artillery.

2d Lt. Augustus Canfield to be 1 lt., 1st March, 1830, vice Despinville, resigned.

Br. 2d Lt. James Barnes to be 2d lt., 1 July, 1829, vice Canfield, promoted.

Second Regt. of Infantry.

2d Lt. Joseph S. Gallagher to be 1 lt., 2d Feb'y, 1830, vice Pentland, deceased.

Br. 2d Lt. Isaac P. Simonton to be 2d lt., 1 July, 1827, vice Gallagher, promoted.

Fourth Regt. of Infantry.

2d Lt. Richard D. C. Collins to be 1 lt., 3d Nov'r, 1829, vice Lacey, deceased.

Br. 2d Lt. William H. Baker to be 2d lt., 1 July, 1828, vice Collins, promoted.

Seventh Regiment of Infantry.

Br. 2d Lt. Benjamin W. Kinsman to be 2d lt., 1 July, 1828, vice Cadle, dismissed.

WAR DEPARTMENT, 9th April, 1830.

SIR: I have the honor to lay before you the annexed list of brevet promotions in the Army of the United States.

I have the honor to be, sir, with great respect, your ob't serv't,
J. H. EATON.

To the PRESIDENT OF THE U. S.

(C.)

ADJUTANT-GENERAL'S OFFICE,
Washington, 9th April, 1830.

BREVET PROMOTIONS IN THE ARMY OF THE UNITED STATES.

Brigadier-general by brevet.

Matthew Arbuckle, colonel, 7th Regiment of Infantry, 16th March, 1820, to be brigadier-general by brevet, to take rank from 16th March, 1830, for ten years' faithful service in one grade.

Major by brevet.

Thomas Staniford, captain, 2d Regiment of Infantry, 1 March, 1820, to be major by brevet, to take rank from 1 March, 1830, for ten years' faithful service in one grade.

Captains by brevet.

John Clitz, 1 lt., 2d Regt. of Infantry, 31 Dec'r, 1819, to be captain by brevet, to take rank from 31st Dec'r, 1829, for ten years' faithful service in one grade.

Samuel Shannon, 1 lt., 1 Regt. of Infantry, 23d Feb'y, 1820, to be captain by brevet, to take rank from 23d Feb'y, 1830, for ten years' faithful service in one grade.

Richard Bache, 1 lt., 2d Regiment of Artillery, 15th June, 1817, to be captain by brevet, to take rank from 29th June, 1829, for ten years' faithful service in one grade.

The messages were severally read.

Ordered, That the message nominating to promotions in the Army be referred to the Committee on Military Affairs.

Ordered, That the message nominating P. L. Chouteau be referred to the Committee on Indian Affairs.

Mr. Woodbury, from the Committee on Commerce, to whom the message of the 12th instant nominating John B. Murphy was referred, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of John B. Murphy, agreeably to the nomination.

The Senate resumed the consideration of the message of the 14th January nominating Joshua Carpenter and others; and

Resolved, That they do advise and consent to the appointment of Thomas R. Johnson, agreeably to the nomination.

A motion was made by Mr. Forsyth to reconsider the vote of the 12th instant, on the question to advise and consent to the appointment of Isaac Hill as Second Comptroller of the Treasury.

Whereupon

The Vice-President submitted for the determination of the Senate whether the motion was in order, inasmuch as the resolution announcing the decision of the Senate on the nomination of Isaac Hill had been communicated to the President; and

It was unanimously determined that the motion was not in order.

On motion by Mr. Marks,

Ordered, That the injunction of secrecy be removed from the proceedings of the Senate on the nomination of John Campbell as Treasurer of the United States.

Mr. Hayne, from the Committee on Naval Affairs, to whom certain nominations were referred the 22nd of March, reported on the nominations of Nash Legrand, Charles P. Tutt, and John Loughton.

TUESDAY, APRIL 27, 1830.

The following message was received from the President of the United States, by Mr. Donaldson, his secretary:

GENTLEMEN: I submit to the Senate, in compliance with the request in their resolution of the 12th instant, all the communications found in the Department of State touching the character, conduct, or qualifications of John Hamm, which appear or are supposed to have been made while the said Hamm was an applicant for reappointment for the office of marshal of the district of Ohio in the year 1822.

As that individual has been recently nominated to the Senate to be chargé d'affaires of the United States to the Government of Central America, I take advantage of the occasion to request the Senate to postpone a final decision on his nomination, upon the following grounds: That information, though not official, has just been received at the Department of State of a change having been lately effected in the Government of Central America, which, if confirmed, may make a correspondent change in the appointment necessary, or perhaps render it altogether unnecessary that this Government, under present circumstances, should send a diplomatic agent to that country.

ANDREW JACKSON.

APRIL 15TH, 1830.

The following messages were also received from the President of the United States, by Mr. Donaldson, his secretary :

To the Senate of the United States :

I nominate to the Senate Charles B. Allen to be consul of the United States at the island of Maranhaam, in Brazil, in the place of Leonard Corning, resigned.

Abraham Russell Smith to be consul of the United States at Pard, in Brazil, in the place of Charles B. Allen, resigned.

ANDREW JACKSON.

APRIL 24, 1830.

To the Senate of the United States :

I nominate to the Senate Benjamin Evens, of Pennsylvania, to be consul of the United States for Campeachy and Tabasco, in the place of Henry Perine, removed from the consulate at Campeachy.

ANDREW JACKSON.

APRIL 21, 1830.

To the Senate of the United States :

I nominate Daniel D. Brodhead to be Navy agent for the port of Boston, Massachusetts, for four years, vice Richard D. Harris, whose term of service expired on the 19th April, 1830.

Thomas S. English, a first lieutenant of Marines, to be a captain of Marines by brevet, from the 11th August, 1829, for ten years' faithful service in one grade.

ANDREW JACKSON.

WASHINGTON CITY, D. C., 24th April, 1830.

To the Senate of the United States :

I nominate Samuel E. Watson, a captain of Marines, to be a lieutenant-colonel of Marines by brevet, from the 28th of March, 1830, for ten years' faithful service in one grade.

Levi Twiggs, a first lieutenant of Marines, to be a captain of Marines from 23d February, 1830, vice brevet lieutenant colonel Richard Smith, cashiered.

Horatio N. Crabb, a 2d lt. of Marines, to be a first lieutenant of Marines, from the 23d February, 1830, vice Levi Twiggs, promoted.

Henry B. Tyler, a 2d lieutenant of Marines, to be a first lieutenant of Marines, from the 1st April, 1830, vice Richard T. Ausmuty, resigned.

William W. Dulany, a first lieutenant of Marines, to be a captain of Marines by brevet, from the nineteenth of June, 1829, for ten years' faithful service.

Farnifold Green to be a 2d lt. of Marines from 23d Feb'y, 1830, vice Horatio N. Crabb, promoted.

George Terrett to be a second lieutenant of Marines from 1st April, 1830, vice Henry B. Tyler, promoted.

Marshall Love to be a second lieutenant of Marines from 3d April, 1830, vice Francis S. Neville, dismissed.

ANDREW JACKSON.

WASHINGTON CITY, 23d April, 1830.

To the Senate of the United States :

I nominate to the Senate, George Hill, of Arkansas, to be brigadier-general for the 1st brigade of militia of that Territory.

A vacancy arising in consequence of the removal of General John Nicks, who is sutler to the garrison at Cantonment Gibson, I nominate William Montgomery to be a brigadier-general of the 2d brigade of the militia of Arkansas.

ANDREW JACKSON.

APRIL 22, 1830.

To the Senate of the United States:

I submit to the Senate, for their advice and consent, the inclosed nominations.

Abstract A, which contains a list of promotions in the Army. I nominate the several persons therein named to the respective rank stated, and for the particular dates specified.

Abstract B contains the names of the Paymaster-General and such paymasters of the Army whose term of service will expire during the present year. I nominate them to the Senate for the times respectively stated for the term of four years.

ANDREW JACKSON.

APRIL 27TH, 1830.

WAR DEPARTMENT, 24th April, 1830.

SIR: I have the honor to lay before you the annexed list of promotions in the line of the Army of the United States.

I have the honor to be, sir, with great respect, your ob't servant,
J. H. EATON.

To the PRESIDENT OF THE UNITED STATES.

ADJUTANT-GENERAL'S OFFICE,
Washington, 24th Ap'l, 1830.

PROMOTIONS IN THE LINE OF THE ARMY OF THE UNITED STATES.

First Regiment of Infantry.

Br. Colonel Willoughby Morgan, lt. col. of the 3d Infantry, to be colonel, 23d April, 1830, vice McNeil, resigned.

Third Regiment of Infantry.

Major Josiah H. Vose, of the 5th Infantry, to be lieut.-colonel, 23d April, 1830, vice Morgan, promoted.

Fifth Regiment of Infantry.

Br. Major George Bender, capt., to be major, 23d April, 1830, vice Vose, promoted.

1st Lt. J. B. F. Russell to be captain, 23d April, 1830, vice Bender, promoted.

2d Lt. Louis T. Jamison to be 1st lieut., 23d April, 1830, vice Russell, promoted.

Br. 2d Lieut. Isaac Lynde to be 2d lieut., 1st July, 1827, vice Jamison, promoted.

Sixth Regiment of Infantry.

1 Lt. Clifton Wharton to be captain, 22d April, 1830, vice Pentland, dismissed.

2d Lt. Joseph S. Worth to be 1st lieut., 22d April, 1830, vice Wharton, promoted.

Br. 2d Lt. Gustave S. Rousseau to be 2d lieut., 1 July, 1828, vice Worth, promoted.

WAR DEPARTMENT, 7th April, 1830.

SIR: I have the honor to lay before you the annexed list of the officers of the Pay Department of the Army of the United States, for re-appointment.

I have the honor to be, sir, with great respect, y'r ob't serv't,
J. H. EATON.

To the PRESIDENT OF THE UNITED STATES.

ADJUTANT-GENERAL'S OFFICE,
Washington, 7th Ap'l, 1830.

List of officers of the Pay Department of the Army for reappointment :

Nathan Towson to be Paymaster-General of the Army from 8th of May, 1830, when the term of his appointment will expire.

Thomas Wright to be paymaster of the Army from 22d June, 1830, when the term of his appointment will expire.

Asher Phillips to be paymaster of the Army from 26th August, 1830, when the term of his appointment will expire.

David Gwynne to be paymaster of the Army from the 29th Apr 1830, when the term of his appointment will expire.

David S. Townsend to be paymaster of the Army from 29th of April, 1830, when the term of his appointment will expire.

Daniel Randall to be paymaster of the Army from 21st July, 1830, when the term of his appointment will expire.

Timothy P. Andrews to be paymaster of the Army from 22d May, 1830, when the term of his appointment will expire.

Lewis De Russey to be paymaster of the Army from 21st September, 1830, when the term of his appointment will expire.

The messages were severally read.

On motion by Mr. Webster,

Ordered, That the nomination of Daniel D. Brodhead as Navy agent for Massachusetts be referred to the Committee on Naval Affairs, with instructions to inquire whether there be any unsettled accounts, or any subsisting contract between the said Brodhead and the Government of the United States, or any Department thereof, and report thereon.

Ordered, That the nomination of Thomas S. English and the message nominating Samuel E. Watson and others be referred to the Committee on Naval Affairs.

Ordered, That the message nominating officers of the Army for promotion and paymasters for reappointment be referred to the Committee on Military Affairs.

The Senate proceeded to consider the message of February 3d nominating Christopher Neale and others to be justices of the peace; and

Resolved, That they advise and consent to the appointment of Christopher Neale, William Miner, Charles Chapin, Alexander Hunter, and Jonathan Shillabee, agreeably to their respective nominations.

Mr. Chambers, from the committee to whom the nomination of Amos Kendall was referred the 10th March, reported.

The Senate proceeded to consider the message of the 12th April nominating Charles F. Sperring and others.

On the question, Will the Senate advise and consent to the appointment of Nash Legrand?

It was determined in the affirmative, { Yeas..... 26
Nays..... 19

On motion by Mr. Tyler,

The yeas and nays being desired by one-fifth of the Senators present,
Those who voted in the affirmative are,

Messrs. Adams, Barnard, Bell, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Forsyth, Grundy Hayne, Hendricks, Iredell, Kane, King, Livingston, McKinley, Rowan, Sanford, Smith of S. C., Tazewell, Troup, Tyler, White, Woodbury.

Those who voted in the negative are,

Messrs. Barton, Burnet, Chambers, Chase, Clayton, Foot, Frelinghuysen, Holmes, Johnston, Knight, Naudain, Noble, Robbins, Ruggles, Seymour, Silsbee, Sprague, Webster, Willey.

So it was

Resolved, That the Senate do advise and consent to the appointment of Nash Legrand.

Resolved, That the Senate do advise and consent to the appointment of Charles P. Tutt and John Leighton, agreeably to their respective nominations.

FRIDAY, APRIL 30, 1830.

The Senate resumed the consideration of the nomination of Amos Kendall, contained in the message of the 10th February last; and,

On motion by Mr. Grundy,

Ordered, That it be postponed to Monday week.

The Senate resumed the consideration of the nomination of Robert T. Canfield, contained in the message of the 3d of February last; and

Resolved, That the Senate do advise and consent to the appointment of Robert T. Canfield, agreeably to the nomination.

Mr. White, from the Committee on Indian Affairs, to whom was referred, on the 14th instant, the nomination of P. L. Chouteau, to be Indian agent, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of P. L. Chouteau, agreeably to the nomination.

The Senate resumed the consideration of the nomination of John G. Boker, contained in the message of the 3d of February last; and

Resolved, That the Senate advise and consent to the appointment of John G. Boker, agreeably to the nomination.

The Senate proceeded to the consideration of the message of the 27th instant nominating George Hill and William Montgomery; and

Resolved, That the Senate do advise and consent to the appointment of George Hill and William Montgomery, agreeably to the nominations respectively.

On motion by Mr. Woodbury,

Ordered, That the nominations of Benjamin Evens, Charles B. Allen, and Abraham Russel Smith be referred to the Committee on Commerce.

THURSDAY, MAY 6, 1830.

The following message was received from the President of the United States, by Mr. Donaldson, his secretary :

To the Senate of the United States :

GENTLEMEN: The accompanying propositions, in the form of a treaty, have been recently sent to me by special messenger from the Choctaw Nation of Indians, and since it was received a protest against it has

been forwarded. Both evince a desire to cede to the United States all their country east of the Mississippi, and both are here submitted. These measures are the voluntary acts of the Indians themselves. The Government was not represented in the councils which adopted them; nor had it any previous intimation that such steps were in contemplation. The Indians convened of their own accord, settled and executed the propositions contained in the treaty presented to me, and agreed to be bound by them if within three months they should receive the approbation of the President and Senate. The other measure is equally their own.

It is certainly desirous, on various and very pressing accounts, as will appear from the accompanying documents, that some agreement should be concluded with the Indians by which an object so important as their removal beyond the territorial limits of the States may be affected. In settling the terms of such an agreement, I am disposed to exercise the utmost liberality, and to concur in any which are consistent with the Constitution, and not incompatible with the interests of the United States and their duties to the Indians. I cannot, however, regard the terms proposed by the Choctaws to be in all respects of this character; but desirous of concluding an arrangement upon such as are, I have drawn up the accompanying amendments, which I propose to offer to the Choctaws, if they meet the approbation of the Senate. The conditions which they offer are such as in my judgment will be most likely to be acceptable to both parties and are liable to the fewest objections. Not being tenacious, though, on the subject, I will most cheerfully adopt any modifications which, on a frank interchange of opinions my Constitutional advisers may suggest and which I shall be satisfied are reconcilable with my official duties.

With these views, I ask the opinion of the Senate upon the following questions:

Will the Senate advise the conclusion of a treaty with the Choctaw Nation according to the terms which they propose? Or will the Senate advise the conclusion of a treaty with that tribe as modified by the alterations suggested by me? If not, what further alteration or modification will the Senate propose?

I am fully aware that in thus resorting to the early practice of the Government, by asking the previous advice of the Senate in the of this portion of my duties, I am departing from a long, and for many years an unbroken usage in similar cases. But being satisfied that this resort is consistent with the provisions of the Constitution; that it is strongly recommended in this instance by considerations of expediency; and that the reasons which have led to the observance of a different practice, though very cogent in negotiations with foreign nations do not apply with equal force to those made with Indian tribes, I flatter myself that it will not meet the disapprobation of the Senate. Among the reasons for a previous expression of the views of the Senate, the following are stated as most prominent:

1. The Indians have requested that their propositions should be submitted to the Senate.

2. The opinion of the Senate, in relation to the terms to be proposed, will have a salutary effect in a future negotiation, if one should be deemed proper.

3. The Choctaw is one of the most numerous and powerful tribes within our borders, and as the conclusion of a treaty with them may have a controlling effect upon other tribes, it is important that its terms should be well considered. Those now proposed by the Choctaws, though ob-

jectionable, it is believed are susceptible of modifications which will leave them conformable to the humane and liberal policy which the Government desires to observe towards the Indian tribes, and be at the same time acceptable to them. To be possessed of the views of the Senate on this important and delicate branch of our future negotiations would enable the President to act much more effectively in the exercise of his particular functions. There is also the best reason to believe that measures in this respect emanating from the united counsel of the treaty-making power would be more satisfactory to the American people and to the Indians.

It will be seen that the pecuniary stipulations are large, and in bringing this subject to the consideration of the Senate I may be allowed to remark that the amount of money which may be secured to be paid should, in my judgment, be viewed as of minor importance. If a fund adequate to the object in view can be obtained from the lands which they cede, all the purposes of the Government should be regarded as answered. The great desideratum is the removal of the Indians, and the settlement of the perplexing question involved in their present location, a question in which several of the States of this Union have the deepest interest, and which if left undecided much longer may eventuate in serious injury to the Indians.

ANDREW JACKSON.

MAY 6, 1830.

The message and the accompanying documents were read.

On motion by Mr. White,

Ordered, That they be referred to the Committee on Indian Affairs, and be printed in confidence for the use of the Senate.

The following messages were received from the President of the United States, by Mr. Donaldson, his secretary :

To the Senate of the United States :

GENTLEMEN: Finding, from the inclosed letter from the Secretary of the Treasury, that James C. Dickson, lately nominated to be receiver of public moneys at Mount Salus, Mississippi, is a defaulter, I beg leave to withdraw his nomination, and to nominate in his place Hiram G. Rennels.

ANDREW JACKSON.

MAY 1, 1830.

To the Senate of the United States :

GENTLEMEN: I beg leave to withdraw the nomination of Benjamin Evans as consul for Campeachy, in Mexico.

ANDREW JACKSON.

MAY 5TH, 1830.

To the Senate of the United States :

GENTLEMEN: I nominate Benjamin Patteson, of Huntsville, Alabama, to be marshal for the northern district of the State of Alabama.

ANDREW JACKSON.

MAY 6, 1830.

To the Senate of the United States :

I nominate to the Senate Samuel Larned to be chargé d'affaires of the United States at Peru, in place of Emanuel J. West, deceased.

ANDREW JACKSON.

MAY 4, 1830.

The messages were severally read.

The Senate proceeded, by unanimous consent, to consider the message nominating Hiram G. Rennels to office; and

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

The Senate proceeded, by unanimous consent, to consider the message nominating Benjamin Patteson to office; and

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the nomination of Samuel Larned be referred to the Committee on Foreign Relations.

The Senate resumed the consideration of the nomination of Sheldon Clarke, contained in the message of the 3d February; and,

On motion by Mr. Woodbury,

Ordered, That the further consideration thereof be postponed to Monday, the 10th instant.

Mr. Barton, from the Committee on Public Lands, to whom the nominations of Joseph H. Larville, Charles Downing, William H. Allen, Willis M. Green, Finis Ewing, and Frederick R. Conway were referred, reported.

Whereupon,

Resolved, That the Senate do advise and consent to the appointment of Charles Downing and William H. Allen, agreeably to their respective nominations.

SATURDAY, MAY 8, 1830.

The following messages were received from the President of the United States, by Mr. Donaldson, his secretary:

To the Senate of the United States:

I nominate to the Senate Robert L. Crawford, of South Carolina, marshal of the United States for that district, vice Colonel F. W. Armstrong, resigned.

ANDREW JACKSON.

WASHINGTON, 6th May, 1830.

To the Senate of the United States:

GENTLEMEN: I nominate Edward Chandler to be attorney for the southern district of Florida, in the place of John K. Campbell, who declines that appointment.

ANDREW JACKSON.

MAY 7, 1830.

To the Senate of the United States:

I nominate to the Senate John T. Mason as secretary of the Territory of Michigan, in the place of James Witherell, removed.

ANDREW JACKSON.

WASHINGTON, 6 May, 1830.

To the Senate of the United States:

I nominate to the Senate William Piatt, of Ohio, to be a paymaster in the Army, in the place of David Gwynne, resigned.

ANDREW JACKSON.

MAY 7, 1830.

The messages were severally read.

The message nominating Robert L. Crawford was considered, by unanimous consent.

Resolved, That the Senate do advise and consent to the appointment of Robert L. Crawford, agreeably to the nomination.

MONDAY, MAY 10, 1830.

The Senate resumed the consideration of the nomination of Amos Kendall; and

On the question, Will the Senate advise and consent to the appointment of Amos Kendall?

It was determined in the affirmative, { Yeas 24
Nays 24

On motion by Mr. Webster,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Adams, Barnard, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hayne, Hendricks, Iredell, Kane, King, Livingston, McKinley, McLean, Rowan, Sanford, Smith of Md., Troup, White, Woodbury.

Those who voted in the negative are,

Messrs. Barton, Bell, Burnet, Chambers, Chase, Clayton, Foot, Frelinghuysen, Holmes, Johnston, Knight, Marks, Naudain, Noble, Robbins, Ruggles, Seymour, Silsbee, Smith of S. C., Sprague, Tazewell, Tyler, Webster, Willey.

The Senate being equally divided, the Vice-President voted in the affirmative.

So it was

Resolved, That the Senate do advise and consent to the appointment of Amos Kendall, agreeably to the nomination.

The Senate resumed the consideration of the nomination of Mordecai M. Noah, contained in the message of the 14th January; and

On the question, Will the Senate advise and consent to the appointment of Mordecai M. Noah?

It was determined in the negative, { Yeas 23
Nays 25

On motion by Mr. Holmes,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Adams, Barnard, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hayne, Hendricks, Kane, King, Livingston, McKinley, McLean, Rowan, Sanford, Smith of Md., Troup, White, Woodbury.

Those who voted in the negative are,

Messrs. Barton, Bell, Burnet, Chambers, Chase, Clayton, Foot, Frelinghuysen, Holmes, Iredell, Johnston, Knight, Marks, Naudain, Noble, Robbins, Ruggles, Seymour, Silsbee, Smith of S. C., Sprague, Tazewell, Tyler, Webster, Willey.

So it was

Resolved, That the Senate do not advise and consent to the appointment of Mordecai M. Noah as surveyor for the district and inspector of the revenue for the port of New York.

The Senate resumed the consideration of the message of February 3 nominating William L. May and others; and

On the question, Will the Senate advise and consent to the appointment of James B. Gardner?

It was determined in the negative, nays 46.

On motion by Mr. Bell,

The yeas and nays being desired by one-fifth of the Senators present,
Those who voted in the negative are,

Messrs. Adams, Barnard, Barton, Bell, Benton, Bibb, Brown, Burnet, Chambers, Chase, Clayton, Dickerson, Dudley, Ellis, Foot, Forsyth, Frelinghuysen, Grundy, Hayne, Hendricks, Holmes, Iredell, Johnston, Kane, King, Knight, Livingston, McKinley, McLean, Marks, Naudain, Noble, Robbins, Rowan, Ruggles, Sanford, Seymour, Silsbee, Smith of S. C., Sprague, Tazewell, Tyler, Webster, White, Willey, Woodbury.

So it was

Resolved, That the Senate do not advise and consent to the appointment of James B. Gardner as register of the land office at Tiffin, Ohio.

On the question, Will the Senate advise and consent to the appointment of Moses Dawson?

It was determined in the negative, { Yeas 5
Nays 42

On motion by Mr. Webster,

The yeas and nays being desired by one-fifth of the Senators present,
Those who voted in the affirmative are,

Messrs. Benton, Bibb, Grundy, Kane, Rowan.

Those who voted in the negative are,

Messrs. Adams, Barnard, Barton, Bell, Brown, Burnet, Chambers, Chase, Clayton, Dickerson, Dudley, Ellis, Foot, Forsyth, Frelinghuysen, Hayne, Hendricks, Holmes, Iredell, Johnston, King, Knight, Livingston, McKinley, McLean, Marks, Naudain, Noble, Robbins, Ruggles, Sanford, Seymour, Silsbee, Smith of S. C., Sprague, Tazewell, Troup, Tyler, Webster, White, Willey, Woodbury.

So it was

Resolved, That the Senate do not advise and consent to the appointment of Moses Dawson as receiver of public moneys at Cincinnati, Ohio.

Mr. Sanford submitted the following motion:

Resolved, That the injunction of secrecy be removed from all cases and questions upon which the yeas and nays have been taken during the present session.

The Senate proceeded to consider the motion; and,

On motion by Mr. Tyler,

Ordered, That it lie on the table.

The following motion was submitted by Mr. Chambers:

Resolved, That the injunction of secrecy be removed from the Journal in respect to nominations acted upon to-day.

A motion was made by Mr. Livingston to amend the same by striking out "to-day," and inserting *this session*; and,

On motion by Mr. Barnard,

Ordered, That it lie on the table.

Mr. Hayne, from the Committee on Naval Affairs, to whom were referred the nominations for promotion in the Marine Corps contained in the messages of the 27th April, reported.

SATURDAY, MAY 15, 1830.

The following messages were received from the President of the United States, by Mr. Donaldson, his secretary:

To the Senate of the United States:

I nominate Assistant-Surgeons Augustin P. Beers, John R. Chandler, Benjamin R. Tinslar to be surgeons in the Navy from 4th December, 1828.

Richard K. H. Sims to be assistant-surgeon from 2d Dec'r, 1828.

Wm. A. W. Spotswood to be assistant-surgeon from 2d Dec'r, 1828.

John C. Spencer to be assistant surgeon from 16th Dec'r, 1828.

William W. Wood to be assistant-surgeon from 16 May, 1829.

George B. McKnight to be assistant-surgeon from 16 May, 1829.

Wm. G. Micks to be assistant-surgeon from 16 May, 1829.

John B. Elliot to be assistant-surgeon from 20th May, 1829.

William Tyler to be assistant-surgeon from 23rd May, 1829.

Amos G. Gambrell to be assistant-surgeon from 20 June, 1829.

Jones W. Plummer to be assistant-surgeon from 20 June, 1829.

John V. Smith to be assistant-surgeon from 27th June, 1829.

George Clymer to be assistant-surgeon from 1 July, 1829.

Isaac Brinkerhoff to be assistant-surgeon from 1 July, 1829.

Daniel Egbert to be assistant-surgeon from 22d Aug't, 1829.

Solomon Sharpe to be assistant-surgeon from 15 Sept., 1829.

Francis G. McCauley to be purser in the Navy from the 27th May, 1829, vice Lewis Deblois, dismissed.

William A. Slacum to be purser in the Navy from the 8th of June, 1829, vice Joseph B. Wilkinson, resigned.

Nathaniel Wilson to be purser in the Navy from the 6th of October, 1829, vice Gardner Thomas, deceased.

Philo White to be purser in the Navy from the 11th May, 1830, vice Isaac Garretson, deceased.

Rev'd William Ryland to be chaplain in the Navy from 23d May, 1829, vice Cave Jones, deceased.

Rev'd Timothy J. Harrison to be chaplain in the Navy from 2d October, 1829, vice Edward McLaughlin, dismissed.

ANDREW JACKSON.

WASHINGTON CITY, 13th May, 1830.

To the Senate of the United States :

I nominate to the Senate William Keith, of North Carolina, to be consul of the United States at Petec and Guamos, in Mexico.

ANDREW JACKSON.

MAY 12TH, 1830.

To the Senate of the United States :

I nominate to the Senate Thomas Douglass, of Florida, to be attorney of the United States for the district of East Florida, whose commission expires on the 22d of this month.

ANDREW JACKSON.

MAY 13TH, 1830.

To the Senate of the United States :

I nominate Thomas Gillespie to be register of the land office for the district of lands subject to sale at Tiffen, in the State of Ohio, in the room of James B. Gardner, who was commissioned during the recess of the Senate and rejected, vice Platt Brush, removed.

Morgan Neville to be receiver of public moneys for the district of lands subject to sale at Cincinnati, in the State of Ohio, in the room of Moses Dawson, who was commissioned during the recess of the Senate and rejected, vice Andrew M. Bailey, removed.

ANDREW JACKSON.

WASHINGTON, May 15th, 1830.

The messages were severally read.

Ordered, That the messages nominating Augustin P. Beers and others to be surgeons, pursers, and chaplains be referred to the Committee on Naval Affairs.

Ordered, That the nomination of William Keith be referred to the Committee on Commerce.

Ordered, That the nomination of Thomas Douglass be referred to the Committee on the Judiciary.

Ordered, That the message nominating Thomas Gillespie and Morgan Neville be referred to the Committee on Public Lands.

Mr. Sanford, from the Committee on Foreign Relations, to whom was referred, the 6th May, the nomination of Samuel Larned, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of Samuel Larned, agreeably to the nomination.

The Senate resumed the consideration of the nomination of Thomas S. English, contained in the message of the 27th April; and

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

The Senate proceeded to consider the message of April 27th nominating Samuel C. Watson and others officers of Marines; and

Resolved, That they do advise and consent to the appointment of Samuel E. Watson, Levi Twiggs, Horatio N. Crabb, Henry B. Tyler, William W. Dulany, Farnfold Green, George Terrett, and Marshall Love, agreeably to the nominations respectively.

The Senate proceeded to consider the nomination of Charles F. Spring, contained in the message of the 12th of April; and

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

TUESDAY, MAY 18, 1830.

The Senate resumed the consideration of the nomination of Wharton Rector, contained in the message of the 10th February last; and,

On motion by Mr. Tyler,

Ordered, That it lie on the table.

Mr. Hayne, from the Committee on Naval Affairs, to whom was referred, on the 15th instant, the message of that date nominating Augustin P. Beers and others to offices, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of Augustin P. Beers, John R. Chandler, Benjamin R. Tinslar, Richard K. H. Sims, William A. W. Spotswood, John C. Spencer, Wm. W. Wood, George B. McNight, William G. Micks, John B. Elliot, Wm. Tyler, Amos G. Gambrell, Jones W. Plummer, John V. Smith, George Clymer, Isaac Brinkerhoof, Daniel Egbert, Solomon Sharpe, Francis G. McCauley, William A. Slacum, Nathaniel Wilson, Philo White, William Ryland, and Timothy J. Harrison, agreeably to the nominations respectively.

The Senate resumed the consideration of the nomination of Samuel McRoberts, contained in the message of the 5th of January last; and

On the question, Will the Senate advise and consent to the appointment of Samuel McRoberts?

It was determined in the negative, { Yeas. 20
Nays. 21

On motion by Mr. Kane,

The yeas and nays being desired by one-fifth of the Senators present
Those who voted in the affirmative are,

Messrs. Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Grundy, Hayne, Hendricks, Iredell, Kane, King, Livingston, McKinley, Rowan, Sanford, Smith of Md., Troup, White, Woodbury.

Those who voted in the negative are,

Messrs. Adams, Barton, Bell, Burnet, Chambers, Chase, Clayton, Foot, Frelinghuysen, Holmes, Knight, McLean, Naudain, Robbins, Ruggles, Seymour, Silsbee, Smith of S. C., Sprague, Webster, Willey.

So it was

Resolved, That the Senate do not advise and consent to the appointment of Samuel McRoberts.

Mr. Woodbury, from the Committee on Commerce, to whom had been referred the nominations of Charles B. Allen, Abraham R. Smith, and William Keith, contained in the messages of the 27th April last and 15th instant, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointments, agreeably to the nominations respectively.

WEDNESDAY, MAY 19, 1830.

A motion was made by Mr. Adams, to reconsider the vote of the 18th instant on the nomination of Samuel McRoberts; and

On motion by Mr. Kane,

Ordered, That it lie on the table.

Mr. Hendricks submitted the following motion :

Resolved, That the injunction of secrecy be removed from the whole executive proceedings of the Senate, and also from all information or remarks touching or concerning the character or qualifications of any person whose nomination has been acted on by the Senate during the present session.

The Senate proceeded to consider the motion; and,

On motion by Mr. Hendricks,

Ordered, That it lie on the table.

THURSDAY, MAY 20, 1830.

The Senate proceeded to consider the message of the 8th instant nominating William Piatt to be paymaster in the Army; and

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

The Senate proceeded to consider the message of the 8th instant nominating John T. Mason to office; and

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

The Senate resumed the consideration of the nomination of Wharton Rector; and

On the question, Will the Senate advise and consent to the appointment of Wharton Rector?

It was determined in the negative, { Yeas 21
Nays 23

On motion by Mr. Barton,

The yeas and nays being desired by one-fifth of the Senators present,
Those who voted in the affirmative are,

Messrs. Adams, Benton, Bibb, Brown, Dudley, Ellis, Forsyth, Grundy,

Hayne, Iredell, Kane, King, Livingston, McKinley, Noble, Sanford, Smith of Md., Troup, Tyler, White, Woodbury.

Those who voted in the negative are,

Messrs. Barnard, Barton, Bell, Burnet, Chambers, Chase, Clayton, Dickerson, Foot, Frelinghuysen, Hendricks, Holmes, Johnston, Knight, Naudain, Robbins, Ruggles, Seymour, Silsbee, Smith of S. C., Sprague, Webster, Willey.

So it was

Resolved, That the Senate do not advise and consent to the appointment of Wharton Rector as Indian agent to the Shawnee and Delaware Indians.

The Senate proceeded to consider the nomination of Joseph H. Larvill, contained in the message of the 3d February; and,

On motion by Mr. Hendricks,

Ordered, That it lie on the table.

SATURDAY, MAY 22, 1830.

The following messages were received from the President of the United States, by Mr. Donaldson, his secretary :

To the Senate of the United States :

GENTLEMEN: It having been represented to me that some of the members of the Senate voted against the confirmation of the appointment of Major M. M. Noah as surveyor of the port of New York through misapprehension, and having received the accompanying letter and memorial from a number of the most respectable merchants and citizens of that city, setting forth his fitness for the office, I therefore renominate him to the Senate as surveyor of the customs for the port of New York.

ANDREW JACKSON.

MAY 21, 1830.

To the Senate of the United States :

GENTLEMEN: I nominate Edward Cross, of the Territory of Arkansas, to be one of the judges of the superior court for the Territory of Arkansas, vice William Trimble, removed.

ANDREW JACKSON.

MAY 20, 1830.

The messages were severally read.

On motion by Mr. Sanford,

Ordered, That the Committee on Foreign Relations, to whom was referred, the 12th instant, the nomination of John Hamm, be discharged from the further consideration thereof.

Mr. Benton, from the Committee on Military Affairs, to whom was referred, the 27th April, the message nominating officers of the Army for promotion and paymasters for reappointment, reported.

Whereupon

Resolved, That the Senate do advise and consent to the promotions in the Army contained in the list marked A ; and also to the appointment of Nathan Towson, Thomas Wright, Asher Phillips, David S. Townsend, Daniel Randall, Timothy P. Andrews, and Lewis G. De Russey, agreeably to their nominations respectively.

Ordered, That the nomination of David Gwynne lie on the table.

Mr. Barton, from the Committee on Public Lands, to whom the nominations of Thomas Gillespie and Morgan Neville were referred the 15th instant, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of Thomas Gillespie and Morgan Neville, agreeably to their respective nominations.

The Senate resumed the consideration of the message of the 3d of February nominating Sheldon Clarke and others to be appraisers; and

Resolved, That they do advise and consent to the appointment of Sheldon Clarke and William S. Coe, agreeably to their respective nominations.

TUESDAY, MAY 25, 1830.

The following message was received from the President of the United States, by Mr. Donaldson, his secretary:

To the Senate of the United States:

I nominate John Randolph, of Roanoke, Virginia, to be envoy extraordinary and minister plenipotentiary at the court of His Imperial Majesty the Emperor of Russia, in the place of Henry Middleton, of South Carolina, recalled.

I also nominate Ethan A. Brown, of Ohio, to be chargé d'affaires of the United States at Brazil, in the place of William Tudor, deceased; and I withdraw the nomination of John Hamm, of Ohio, heretofore made to the Senate, as chargé d'affaires to Central America, and nominate him as chargé d'affaires to Chili.

ANDREW JACKSON.

MAY 24TH, 1830.

The message was read.

Ordered, That the message of the 22d instant nominating Edward Cross to office be referred to the Committee on the Judiciary.

The Senate proceeded to consider the message of the 22d instant nominating Mordecai M. Noah to be surveyor of New York; and

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate proceeded to consider the message of the 16th March nominating Finis Ewing to office; and

On the question, Will the Senate advise and consent to the appointment of Finis Ewing?

It was determined in the affirmative, { Yeas 27
Nays 15

On motion by Mr. Barton,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Adams, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hayne, Hendricks, Iredell, Kane, King, Knight, Livingston, McKinley, McLean, Rowan, Ruggles, Sanford, Smith of Md., Smith of S. C., Troup, Tyler, White, Woodbury.

Those who voted in the negative are,

Messrs. Barton, Bell, Burnet, Chase, Clayton, Foot, Frelinghuysen, Holmes, Naudain, Robbins, Seymour, Silsbee, Sprague, Webster, Willey.

So it was

Resolved, That the Senate do advise and consent to the appointment of Finis Ewing as register of the land office at Lexington, Missouri.

The Senate resumed the consideration of the motion made the 19th instant to reconsider the vote on the nomination of Samuel McRoberts; and

On the question to agree to the motion,

It was decided in the affirmative, { Yeas 23
Nays 20

On motion by Mr. Bell,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Adams, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hayne, Hendricks, Iredell, Kane, King, Livingston, McKinley, Rowan, Sanford, Smith of Md., Troup, Tyler, White, Woodbury.

Those who voted in the negative are,

Messrs. Barton, Bell, Burnet, Chambers, Chase, Clayton, Foot, Frelinghuysen, Johnston, McKnight, McLean, Naudain, Robbins, Rugles, Seymour, Silsbee, Smith of S. C., Sprague, Webster, Willey.

Ordered, That the further consideration of the nomination of Samuel McRoberts be postponed until to-morrow.

Mr. Rowan, from the Committee on the Judiciary, to whom the nomination of Thomas Douglass was referred the 15th instant, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of Thomas Douglass, agreeably to the nomination.

Ordered, That the message of the 8th May nominating Edward Chandler to office be referred to the Committee on the Judiciary.

WEDNESDAY, MAY 26, 1830.

The following messages were received from the President of the United States, by Mr. Donaldson, his secretary :

To the Senate of the United States :

I nominate to the Senate William Lytle, of Ohio, to be surveyor-general of the public lands in the States of Ohio, Indiana, and the Michigan Territory, in place of Edward Tiffin, deceased.

ANDREW JACKSON.

MAY 25, 1830.

To the Senate of the United States :

I nominate Thomas Lewis to be receiver of public moneys for the district of lands subject to sale at Washington, in the State of Mississippi, vice James Duncan, resigned.

ANDREW JACKSON.

MAY 22, 1830.

To the Senate of the United States :

I nominate Lieutenants Robert F. Stockton and Isaac McKeever to be masters commandant in the Navy; Passed Midshipmen Robert G. Robb, Edward M. Vail, Fitzallen Deas, Samuel W. Stockton, John Colhoun, Charles W. Chauncey, Lawrence Pennington, Thomas T. Craven, Andrew H. Foot, John L. Ball, to be lieutenants in the Navy.

ANDREW JACKSON.

WASHINGTON CITY, 26th May, 1830.

To the Senate of the United States :

GENTLEMEN: I nominate James B. Thornton, esq., of Merrimac, New Hampshire, Second Comptroller of the Treasury, vice Isaac Hill, esq., rejected by the Senate.

ANDREW JACKSON.

MAY 25, 1830.

The messages were severally read.

Ordered, That the message nominating Robert F. Stockton and others for promotion in the Navy be referred to the Committee on Naval Affairs.

The Senate proceeded to consider the message nominating John Randolph and others; and

Resolved, That they do advise and consent to the appointment of John Randolph and Ethan A. Brown, agreeably to their respective nominations.

On the question, Will the Senate advise and consent to the appointment of John Hamm?

It was determined in the affirmative, { Yeas 31
Nays 15

On motion by Mr. Bell,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Adams, Barnard, Benton, Bebb, Brown, Burnet, Chase, Dickerson, Dudley, Ellis, Forsyth, Frelinghuysen, Grundy, Hayne, Hendricks, Iredell, Kane, King, Livingston, McKinley, McLean, Rowan, Ruggles, Sanford, Seymour, Smith of S. C., Troup, Tyler, White, Willey, Woodbury.

Those who voted in the negative are,

Messrs. Barton, Bell, Chambers, Clayton, Foot, Holmes, Johnston, Knight, Naudain, Noble, Robbins, Silsbee, Smith of Md., Sprague, Webster.

So it was

Resolved, That the Senate do advise and consent to the appointment of John Hamm as chargé d'affaires to Chili.

The Senate resumed the consideration of the message of the 22d May nominating Mordecai M. Noah to office; and

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate resumed the consideration of the nomination of Samuel McRoberts, contained in the message of the 5th of January; and

On the question, Will the Senate advise and consent to the appointment of Samuel McRoberts?

It was determined in the affirmative, { Yeas 24
Nays 22

On motion by Mr. Webster,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Adams, Barnard, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hayne, Hendricks, Iredell, Kane, King, Livingston, McKinley, Rowan, Sanford, Smith of Md., Troup, Tyler, White, Woodbury.

Those who voted in the negative are,

Messrs. Barton, Bell, Burnet, Chambers, Chase, Clayton, Foot, Frelinghuysen, Holmes, Johnston, Knight, McLean, Naudain, Noble, Rob-

bins, Ruggles, Seymour, Silsbee, Smith of S. C., Sprague, Webster, Willey.

So it was

Resolved, That the Senate do advise and consent to the appointment of Samuel McRoberts as attorney of the United States for the district of Illinois.

The Senate proceeded, by unanimous consent, to consider the message of this day nominating Thomas Lewis to office; and

Resolved, That they do advise and consent to the appointment of Thomas Lewis, agreeably to the nomination.

The Senate resumed the consideration of the nomination of Jeromus Johnson, contained in the message of the 3d February; and

On the question, Will the Senate advise and consent to the appointment of Jeromus Johnson?

It was determined in the affirmative, { Yeas..... 24
Nays..... 20

On motion by Mr. Webster,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Adams, Barnard, Benton, Bibb, Brown, Dudley, Ellis, Forsyth, Grundy, Hayne, Hendricks, Iredell, Kane, King, Livingston, McKinley, Rowan, Sanford, Smith of Md., Smith of S. C., Troup, Tyler, White, Woodbury.

Those who voted in the negative are,

Messrs. Barton, Bell, Burnet, Chambers, Chase, Clayton, Dickerson, Foot, Frelinghuysen, Johnston, Knight, Naudain, Noble, Robbins, Ruggles, Seymour, Silsbee, Sprague, Webster, Willey.

So it was

Resolved, That the Senate do advise and consent to the appointment of Jeromus Johnson as appraiser of goods for the port of New York.

The Senate proceeded, by unanimous consent, to consider the message of this day nominating William Lytle to office; and

Resolved, That they do advise and consent to the appointment of William Lytle, agreeably to the nomination.

Mr. Benton, from the Committee on Military Affairs, to whom was referred, the 4th January, the message nominating for promotion and appointment in the Army of the United States, reported in part.

Whereupon

Resolved, That the Senate do advise and consent to the promotions and appointments in the Army contained in the list No. 3 dated the 7th Dec'r, 1829.

Mr. Rowan, from the Committee on the Judiciary, to whom was referred, the 25th instant, the message nominating Edward Cross, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of Edward Cross, agreeably to the nomination.

Mr. Rowan, from the Committee on the Judiciary, to whom was referred, the 25th instant, the message nominating Edward Chandler to office, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of Edward Chandler, agreeably to the nomination.

The Senate resumed the consideration of the nomination of Samuel Herrick, contained in the message of the 5th January; and

Resolved, That they do advise and consent to the appointment of Samuel Herrick, agreeably to the nomination.

THURSDAY, MAY 27, 1830.

Mr. Hayne, from the Committee on Naval Affairs, to whom was referred, the 27th April, the nomination of Daniel D. Brodhead, reported.

Ordered, That the said nomination be recommitted to the same committee.

Mr. Hayne, from the Committee on Naval Affairs, to whom was referred the message of the 26th instant nominating Robert F. Stockton and others, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of Robert F. Stockton, Isaac McKeever, Robert G. Robb, Edward M. Vail, Fitzallen Deas, Samuel W. Stockton, John Colboun, Charles W. Chauncey, Lawrence Pennington, Thomas T. Craven, Andrew H. Foot, and John L. Ball, agreeably to their respective nominations.

The Senate proceeded to consider the message nominating James B. Thornton to be 2d Comptroller; and

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

Mr. White, from the Committee on Indian Affairs, to whom was referred the message of the President of the United States of the 6th instant, relating to the Choctaw Indians, submitted the following report:

The Committee on Indian Affairs, to whom was referred the message of the President of the United States dated the 6th instant, and its accompanying documents, marked B, C, D, E, F, G, H, has had the same under consideration, and beg leave to submit the following report:

The Document C is a project of a treaty between the United States and the Choctaw Indians, prepared in the Choctaw Nation, without the knowledge of any officer of the Federal Government, and transmitted to the President of the United States, ready signed by those pretending to represent the Indians, and wanting nothing but the sanctions of the United States in due form to make it obligatory upon the parties.

Document D is a protest, under the signatures of a portion of the Choctaws, against it, and containing charges against those who had an active agency in preparing and forwarding it to the President.

The committee are of opinion that, whether the charges are well founded or not, as they have been formally made they ought to induce the President of the United States to withhold his sanction to it until the sense of the nation could be fairly taken, even if the terms proposed in the instrument were such as the United States would deem equitable and just. But, independent of this objection, the terms themselves are, in the opinion of the committee, so unreasonable that the United States ought by no means to accede to them, even if the nation was unanimous in proposing them. In the opinion of the committee it would be a waste of time to go much into detail in specifying objections. They would barely remark that the 3d, 12th, 16th, 18th, and 20th articles contain stipulations which ought not to receive the countenance of the President or of the Senate. They therefore recommend to the Senate the adoption of the following resolution:

Resolved, That the Senate do advise the President of the United States not to make or ratify the treaty which the Choctaw Indians have proposed in the project submitted to him, dated the 17th day of March, 1830, and which accompanied his message to the Senate on the 6th instant.

The committee has extended its examination to the contents of Doc-

ument E, intended to be proposed by the President of the United States to the Choctaw Indians as the terms to be embraced in a treaty to be formed with them, and find it very difficult to satisfy themselves as to the precise stipulations which ought to be contained in any treaty to be concluded.

They are decidedly of opinion that the terms to be proposed ought not only to be just but liberal towards the Indians, and in this respect it appears to the committee that if the terms about to be proposed require any alterations they should consist in lessening the considerations to be offered for the lands now occupied by the Choctaws.

It appears from the documents submitted that very serious discontents exist in the nation, and if the Senate should, in advance of any negotiation, attempt to fix in detail the terms and stipulations to be included in a treaty, such course might have the effect of defeating entirely an agreement with the Choctaws which might be highly advantageous to them and to the United States. The committee therefore ask to be discharged from the further consideration of this subject.

The report was read.

Ordered, That it be printed in confidence for the use of the Senate.

The Senate resumed the consideration of the motion submitted by Mr. Hendricks, the 19th instant, to remove the injunction of secrecy from the executive proceedings of the Senate; and,

On motion by Mr. Barton,

Ordered, That it lie on the table.

The Senate resumed the consideration of the message of the 22d instant nominating M. M. Noah to office; and

Ordered, That the further consideration thereof be postponed until to-morrow.

FRIDAY, MAY 28, 1830.

The following message was received from the President of the United States, by Mr. Donaldson, his secretary:

To the Senate of the United States :

It is gratifying to me to be able to communicate to the Senate, before the termination of its present session, for its advice and consent as to the ratification of it, a convention just received at the Department of State, between the United States and His Majesty the King of Denmark, which was negotiated on the part of the former by Mr. Henry Wheaton, their chargé d'affaires at the Court of Denmark, and on that of the latter by the Sieurs Henry Count de Schemmelman, his minister of foreign affairs, and Paul Christian de Stemann, president of his chancery, and concluded and signed by these plenipotentiaries at Copenhagen on the 28th of March of the present year.

The convention provides by compromise for the adjustment and payment of indemnities to no inconsiderable amount, long sought from the Government of Denmark by that of the United States in behalf of their citizens who had preferred claims for the same, relating to the seizure, detention, and condemnation or confiscation of their vessels, cargoes, or property by the public armed ships, or by the tribunals of Denmark, or in the states subject to the Danish scepter; and there is every reason to believe, as the Senate will infer from the correspondence which accompanies this communication, that the proposed arrangement will prove entirely satisfactory to them.

ANDREW JACKSON.

WASHINGTON, 27 May, 1830.

The message, treaty, and accompanying documents were read.

Ordered, That they be referred to the Committee on Foreign Relations.

The following messages were received from the President of the United States, by Mr. Donaldson, his secretary :

To the Senate of the United States :

GENTLEMEN: I nominate Anthony Campbell, of Natchez, marshal of the State of Mississippi, vice John H. Norton, resigned.

ANDREW JACKSON.

MAY 28, 1830.

To the Senate of the United States :

GENTLEMEN: For the reasons expressed in the inclosed note I re-nominate Wharton Rector to be agent for the Shawnee and Delaware Indians.

ANDREW JACKSON.

MAY 28, 1830.

[Inclosed.]

President of the United States :

SIR: The rejection of Col. Rector by the Senate took place in the absence of Mr. McLean and myself. We were both confined to our rooms by illness. Had we been present his nomination would have been confirmed. I believe that if he were again placed before the Senate his nomination would be confirmed, and should therefore be pleased if he could be again nominated.

I have the honor to be your obedient,

J. ROWAN.

The messages were severally read.

The Senate proceeded, by unanimous consent, to consider the message nominating Anthony Campbell to office; and

Resolved, That the Senate do advise and consent to the appointment of Anthony Campbell, agreeably to the nomination.

The Senate resumed the consideration of the nomination of M. M. Noah.

A motion was made by Mr. Clayton to postpone the nomination indefinitely.

On the question to agree thereto,

It was determined in the negative, { Yeas 22
Nays 22

On motion by Mr. Johnson,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Barton, Bell, Burnet, Chambers, Chase, Clayton, Foot, Frelinghuysen, Iredell, Johnston, Knight, Naudain, Noble, Robbins, Ruggles, Seymour, Silsbee, Smith of S. C., Sprague, Tyler, Webster, Willey.

Those who voted in the negative are,

Messrs. Adams, Barnard, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hendricks, Kane, King, Livingston, McKinley, McLean, Rowan, Sanford, Smith of Md., Troup, White, Woodbury.

The Senate being equally divided the Vice-President voted in the negative.

On the question, Will the Senate advise and consent to the appointment of M. M. Noah?

It was determined in the affirmative, { Yeas 22
Nays 22

On motion by Mr. Johnston,

The yeas and nays being desired by one-fifth of the Senators present,
Those who voted in the affirmative are,

Messrs. Adams, Barnard, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hendricks, Kane, King, Livingston, McKinley, McLean, Rowan, Sanford, Smith of Md., Troup, White, Woodbury.

Those who voted in the negative are,

Messrs. Barton, Bell, Burnet, Chambers, Chase, Clayton, Foot, Frelinghuysen, Iredell, Johnston, Knight, Naudain, Noble, Robbins, Rugles, Seymour, Silsbee, Smith of S. C., Sprague, Tyler, Webster, Willey.

The Senate being equally divided, the Vice-President voted in the affirmative.

So it was

Resolved, That the Senate do advise and consent to the appointment of M. M. Noah, agreeably to the nomination.

SATURDAY, MAY 29, 1830.

The following messages were received from the President of the United States, by Mr. Donaldson, his secretary:

To the Senate of the United States:

I nominate to the Senate the following persons of the Army to brevet rank, from the dates specified, agreeably to the accompanying communication of this date from the Secretary of War.

ANDREW JACKSON.

MARCH 28TH, 1830.

WAR DEPARTMENT, 28th May, 1830.

SIR: I have the honor to lay before you the annexed list of brevet promotions in the Army of the United States.

I have the honor to be, sir, with great respect, y'r ob't serv't,
JOHN H. EATON.

To the PRESIDENT OF THE U. S.

ADJUTANT-GENERAL'S OFFICE,
Washington, — May, 1830.

BREVET PROMOTIONS IN THE ARMY OF THE UNITED STATES.

Lieutenant-colonel by brevet.

Henry Stanton, major and quartermaster, 13th May, 1820, to be lieutenant-col. by brevet, to take rank from 13th May, 1830, for ten years' faithful service in one grade.

Majors by brevet.

Thomas C. Legate, captain 2d Regiment of Artillery, 13th May, 1820, to be major by brevet, to take rank from 13th May, 1830, for ten years' faithful service in one grade.

Thomas F. Hunt, capt. 5th Regiment of Infantry, to be major by bre-

vet, from the 16th of June, 1828, having served as a captain and performed the appropriate duties of that grade for ten years continuously.

Captains by brevet.

John Symington, first lieut. First Regiment of Art'y, 17th May, 1820, to be captain by brevet, to take rank from 17th May, 1830, for ten years' faithful service in one grade.

John M. Washington, 1st lieut. 4th Regiment of Artillery, 23d May, 1820, to be captain by brevet, to take rank from 23d May, 1830, for ten years' faithful service in one grade.

Jac. Schinuck, captain in the 4th Regiment of Artillery, to be captain by brevet, to date 25th July, 1824.

To the Senate of the United States :

I nominate to the Senate John S. Langham to be consul of the United States for the city of Santa Fé, in Mexico, in place of Augustus Storrs, resigned.

ANDREW JACKSON.

MAY 29, 1830.

To the Senate of the United States :

I nominate Abraham B. Meade to be appraiser of goods for the port of New York, in the State of New York.

ANDREW JACKSON.

WASHINGTON, 29th May, 1830.

To the Senate of the United States :

I correct the nomination which I have made to the Senate of John S. Langham to be consul of the United States at Santa Fé, in the place of Augustus Storrs, and now nominate him as consul of the United States at Chihuahua, in the Mexican Territory, in the place of John Ward, appointed during the recess of the Senate.

ANDREW JACKSON.

WASHINGTON, 29th May, 1830.

To the Senate of the United States :

I nominate Passed Midshipman Wm. W. Hunter a lieutenant in the Navy, to rank as such from 27th May, 1830, and to take place next to John L. Ball.

ANDREW JACKSON.

MAY 29, 1830.

The messages were severally read.

Ordered, That the message nominating Henry Stanton and others for brevet promotions in the Army be referred to the Committee on Military Affairs.

Mr. Sanford, from the Committee on Foreign Relations, to whom was referred the convention with Denmark, reported the convention without amendment.

The said convention was read the second time and considered as in Committee of the Whole; and no amendment having been made thereto, the Vice-President reported it to the house accordingly.

Mr. Sanford submitted the following resolution :

Resolved, (two-thirds of the Senators present concurring), That the Senate do advise and consent to the ratification of the convention be-

tween the United States of America and His Majesty the King of Denmark, concluded at Copenhagen the 28th day of March, 1830.

The Senate proceeded to consider the resolution, by unanimous consent.

On the question to agree thereto,
It was determined in the affirmative, yeas 39.

Those who voted in the affirmative are,
Messrs. Adams, Barnard, Barton, Bell, Benton, Bibb, Brown, Burnet, Chambers, Chase, Clayton, Dickerson, Dudley, Ellis, Foot, Forsyth, Grundy, Hendricks, Iredell, Johnston, Kane, King, Knight, Livingston, McKinley, Naudain, Noble, Robbins, Ruggles, Sanford, Seymour, Silsbee, Smith of Md., Smith of S. C., Sprague, Tyler, Webster, White, Woodbury.

Ordered, That the Secretary lay this resolution before the President of the United States.

Mr. Benton, from the Committee on Military Affairs, to whom was referred the message of the 17th February nominating to brevet appointments in the Army, reported.

Whereupon

Resolved, That the Senate do advise and consent to the brevet appointments, as therein proposed, of Col. William Lawrence, Major John B. Walbash, Capt. N. S. Clark, Capt. R. E. De Russey, Capt. Henry Whiting, and Capt. R. A. Lantzinger.

Mr. Benton, from the Committee on Military Affairs, to whom was referred, the 4th January, the message nominating for promotions and appointments in the Army of the United States, reported.

On motion by Mr. King,

Ordered, That the further consideration of the brevet promotions contained in lists No. 1 and No. 2, dated "Adjutant-General's Office, 7th Dec'r, 1829," be postponed to the 1st Monday in December next.

The Senate resumed the consideration of the nomination of Joseph H. Larvill, contained in the message of the 3d February; and

On the question, Will the Senate advise and consent to the appointment of Joseph H. Larvill?

It was determined in the affirmative, { Yeas..... 21
Nays..... 19

On motion by Mr. Burnet,

The yeas and nays being desired by one-fifth of the Senators present,
Those who voted in the affirmative are,

Messrs. Adams, Barnard, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hendricks, Iredell, Kane, King, Livingston, McKinley, Rowan, Troup, Tyler, White, Woodbury.

Those who voted in the negative are,

Messrs. Barton, Bell, Burnet, Chambers, Chase, Clayton, Foot, Frelinghuysen, Johnston, Knight, Naudain, Noble, Robbins, Ruggles, Seymour, Silsbee, Smith of S. C., Sprague, Webster.

So it was

Resolved, That the Senate do advise and consent to the appointment of Joseph H. Larvill as receiver of public moneys, agreeably to the nomination.

The Senate proceeded to consider the message of the 28th instant nominating Wharton Rector as Indian agent; and

On the question, "Will the Senate advise and consent to the appointment of Wharton Rector?"

It was determined in the negative, { Yeas..... 20
Nays..... 21

On motion by Mr. Webster,

The yeas and nays being desired by one-fifth of the Senators present,
Those who voted in the affirmative are,

Messrs. Adams, Benton, Bibb, Brown, Dudley, Ellis, Forsyth, Grundy, Kane, King, McKinley, McLean, Noble, Rowan, Sanford, Smith of Md., Troup, Tyler, White, Woodbury.

Those who voted in the negative are,

Messrs. Barton, Bell, Burnet, Chambers, Chase, Clayton, Dickerson, Foot, Frelinghuysen, Hendricks, Johnston, Knight, Livingston, Naudain, Robbins, Ruggles, Seymour, Silsbee, Smith of S. C., Sprague, Webster.

So it was

Resolved, That the Senate do not advise and consent to the appointment of Wharton Rector.

The following messages were received from the President of the United States, by Mr. Donaldson, his secretary :

To the Senate of the United States :

I nominate to the Senate Thomas Carberry, John Wells, jr., and Gustavus Higdon to be justices of the peace for the county of Washington, in the District of Columbia, whose commissions have expired; Robert Getty to be a justice of the peace for the county of Washington, in the District of Columbia, whose commission expires at the end of the present session of the Senate.

ANDREW JACKSON.

MAY 29, 1830.

To the Senate of the United States :

GENTLEMEN: I nominate to the Senate Richard W. Cummins agent for the Shawnee and Delaware Indians, vice Wharton Rector, rejected by the Senate.

ANDREW JACKSON.

MAY 29, 1830.

The messages were severally read.

The Senate proceeded, by unanimous consent, to consider the message nominating Richard W. Cummins to office; and

Resolved, That they do advise and consent to the appointment of Richard W. Cummins, agreeably to the nomination.

The Senate proceeded, by unanimous consent, to consider the message nominating Thomas Carberry and others to be justices of the peace; and

Resolved, That they do advise and consent to the appointment of Thomas Carberry, John Wells, jr., Gustavus Higdon, and Robert Getty, agreeably to the nomination.

The Senate proceeded, by unanimous consent, to consider the message of this day nominating William W. Hunter to be a lieutenant in the Navy; and

Resolved, That they do advise and consent to the appointment of Wm. W. Hunter, agreeably to the nomination.

The Senate proceeded, by unanimous consent, to consider the message nominating Abraham B. Meade an appraiser; and

Resolved, That they do advise and consent to the appointment of Abraham B. Meade, agreeably to the nomination.

The Senate resumed the consideration of the message of the 5th January nominating George M. Dallas and others to office; and

Resolved, That they do advise and consent to the appointment of Asa Child, agreeably to the nomination.

The Senate proceeded to consider the message of the 17th March nominating Frederick R. Conway as recorder of land titles; and

On the question, Will the Senate advise and consent to the appointment of Frederick R. Conway?

It was determined in the affirmative, { Yeas..... 20
Nays..... 15

On motion by Mr. Barton,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Adams, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Grundy, Iredell, Kane, King, Livingston, McKinley, Noble, Sanford, Smith of Md., Smith of S. C., Tyler, White, Woodbury.

Those who voted in the negative are,

Messrs. Barton, Bell, Burnet, Chambers, Chase, Clayton, Foot, Frelinghuysen, Knight, Naudain, Robbins, Ruggles, Seymour, Silsbee, Sprague, Webster.

So it was

Resolved, That the Senate do advise and consent to the appointment of Frederick R. Conway, agreeably to the nomination.

Mr. Barton, from the Committee on Public Lands, to whom the message of the 16th March nominating Charles F. Morehouse was referred, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of Charles F. Morehouse, agreeably to the nomination.

Mr. Robbins, from the Committee on Naval Affairs, to whom was re-committed, the 27th May, the nomination of Daniel Brodhead, reported.

The Senate proceeded to consider the nomination.

On the question, Will the Senate advise and consent to the appointment of Daniel D. Brodhead?"

It was determined in the affirmative, { Yeas..... 18
Nays..... 17

On motion by Mr. Seymour,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Adams, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Grundy, Iredell, Kane, King, Livingston, McKinley, Sanford, Smith of Md., Taylor, White, Woodbury.

Those who voted in the negative are,

Messrs. Barton, Burnet, Chambers, Chase, Clayton, Foot, Frelinghuysen, Johnston, Knight, Naudain, Robbins, Ruggles, Seymour, Silsbee, Smith of S. C., Sprague, Webster.

So it was

Resolved, That the Senate do advise and consent to the appointment of Daniel D. Brodhead, agreeably to the nomination.

The Senate proceeded to consider the message of the 5th April nominating Willis M. Green; and

Resolved, That they do advise and consent to the appointment of Willis M. Green, agreeably to the nomination.

The Senate resumed the consideration of the nomination of Wm. Wright, contained in the message of the 29th March; and

Resolved, That they do advise and consent to the appointment of Wm. Wright, agreeably to the nomination.

The Senate proceeded, by unanimous consent, to consider the message

of this day nominating John S. Langham to be consul at Chihuahua, in Mexico; and

Resolved, That they do advise and consent to the appointment of John S. Langham, agreeably to the nomination.

The Senate resumed the consideration of the motion submitted by Mr. Hendricks the 19th instant, to remove the injunction of secrecy from the Executive Journal; and having, on motion by Mr. Tyler, been amended,
Ordered, That it lie on the table.

The following message was received from the President of the United States, by Mr. Donaldson, his secretary:

To the Senate of the United States:

GENTLEMEN: I nominate to the Senate Virgil Maxey, of Maryland, to be Solicitor of the Treasury, agreeably to the provisions of the act of Congress of the 29th of May, 1830, entitled "An act to provide for the appointment of a Solicitor of the Treasury."

ANDREW JACKSON.

MAY 29, 1830.

The message was read and considered by unanimous consent.

Resolved, That the Senate do advise and consent to the appointment of Virgil Maxey, agreeably to the nomination.

The Senate proceeded to consider the report of the Committee on Indian Affairs, to whom was referred the message of the President of the United States of the 6th instant, relating to the Choctaw Indians; and, in concurrence therewith,

Resolved, That the Senate do advise the President of the United States not to make or ratify the treaty which the Choctaw Indians have proposed in the project submitted to him dated the 17th day of March, 1830, and which accompanied his message to the Senate on the 6th instant; and

Ordered, That the committee be discharged from the further consideration of the subject.

The Senate resumed, as in Committee of the Whole, the consideration of the supplementary article to a treaty with the Delaware Indians, transmitted to the Senate the 4th Jan'y, 1830; and no amendment having been made thereto, the President reported it to the house accordingly.

A motion was thereupon made by Mr. Bibb to adjourn; and

It was determined in the negative, { Yeas 5
Nays 25

On motion by Mr. Clayton,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Bibb, Brown, McKinley, Smith of S. C., Tyler.

Those who voted in the negative are,

Messrs. Barton, Bell, Benton, Burnet, Chambers, Chase, Clayton, Dickerson, Dudley, Ellis, Hendricks, Iredell, Johnston, Kane, King, Knight, Livingston, Naudain, Sanford, Seymour, Silsbee, Sprague, Webster, White, Woodbury.

Mr. White submitted the following resolution:

Resolved (two thirds of the Senators present concurring), That the Senate do advise and consent to the ratification of the supplementary article, concluded at Council Camp, on James' Fork of White River, in the State of Missouri, the 24th day of September, 1829, to a treaty between the United States and the Delaware Indians made the 3d day of October, 1818.

The Senate proceeded, by unanimous consent, to consider the resolution.

On motion by Mr. Frelinghuysen,

It was amended by adding a proviso thereto.

On the question to agree to the resolution as amended,

It was determined in the affirmative, { Yeas 27
Nays 4

Those who voted in the affirmative are,

Messrs. Adams, Bell, Benton, Brown, Burnet, Chambers, Chase, Dickerson, Dudley, Ellis, Grundy, Hendricks, Iredell, Johnston, Kane, King, Knight, Livingston, McKinley, Ruggles, Sanford, Seymour, Silsbee, Smith of S. C., Webster, White, Woodbury.

Those who voted in the negative are,

Messrs. Barton, Clayton, Frelinghuysen, Sprague.

So it was

Resolved (two-thirds of the Senators present concurring), That the Senate do advise and consent to the ratification of the supplementary article, concluded at Council Camp, on James' Fork of White River, in the State of Missouri, the 24th day of September, 1829, to a treaty between the United States and the Delaware Indians made the 3d day of October, 1818: *Provided*, That the President of the United States, with all convenient dispatch, employ a surveyor, at the usual rate of compensation for like services, to run the lines of the country by the foregoing treaty granted to the said Delaware Nation of Indians, to establish certain and notorious land-marks, accurately and permanently to distinguish the boundaries of the said granted country and of the said outlet reserved in this treaty; that the said surveyor run the lines and fix and establish the boundaries of the said granted country and the said outlet in the presence of an agent to be designated by the Delaware Nation; and that it shall be the duty of the said surveyor to report to the President of the United States his proceedings in the premises, together with a map or draught of the said granted country and the said outlet; and that when the President shall be satisfied that the said proceedings had been concurred in and approved of by the agent of the said Delaware Nation, he shall also approve of the same by his signature and seal of office, and cause one copy of the same to be affiled among the archives of the Government, and one copy to be delivered to the agent of the Delaware Nation, for the use of the said nation, and which shall be thereafter binding and conclusive upon the respective parties to the foregoing treaty.

Mr. Livingston submitted the following motion:

Resolved, That the Senate does not think it expedient to advise and consent to the appointment of any consul to reside at Vienna. There being no diplomatic agent of the United States in the capital of the Austrian Empire nor in the central part of the Germanic Confederation, would naturally cause him to be considered as a diplomatic agent, and who ever may be appointed to that or any other capacity ought to be, in the opinion of the Senate, a citizen of the United States.

And having been amended, on motion by Mr. Sprague, by striking out all after the word "Vienna,"

A motion was made by Mr. McKinley that the Senate adjourn; and

It was determined in the negative, { Yeas 12
Nays 18

On motion by Mr. McKinley,

The yeas and nays being desired by one-fifth of the Senators present

Those who voted in the affirmative are,
Messrs. Adams, Benton, Bibb, Brown, Ellis, Grundy, Kane, King, McKinley, Smith of S. C., Tyler, White.

Those who voted in the negative are,
Messrs. Barton, Bell, Burnet, Chambers, Chase, Clayton, Dickerson, Dudley, Hendricks, Iredell, Johnston, Knight, Naudain, Ruggles, Seymour, Silsbee, Sprague, Woodbury.

It was thereupon agreed, on motion by Mr. Johnston, that the motion submitted lie on the table.

MONDAY, MAY 31, 1830.

Mr. Benton, from the Committee on Military Affairs, to whom was referred the message of the 14th April nominating to brevet and other promotions in the Army, reported.

Whereupon

Resolved, That the Senate do advise and consent to the promotions in the line of the Army contained in the list marked B.

Ordered, That the brevet nominations contained in the lists marked A and C lie on the table.

Mr. Benton, from the Committee on Military Affairs, to whom was referred the message of the 29th May nominating to brevet promotions in the Army, reported.

Whereupon

Resolved, That the message lie on the table.

Mr. Chambers submitted a motion to remove the injunction of secrecy from the Journal of Executive Proceedings; which, on motion by Mr. Grundy, was modified as follows:

Resolved, That the injunction of secrecy be removed from the Journal of Executive Proceedings as far as relates to all nominations acted on during the present session.

A motion was made by Mr. Johnston that the said motion lie on the table; and

It was determined in the negative, {	Yeas	17
	Nays	22

On motion by Mr. Johnston,

The yeas and nays being desired by one-fifth of the Senators present,
Those who voted in the affirmative are,

Messrs. Barnard, Benton, Bibb, Burnet, Foot, Frelinghuysen, Hendricks, Johnston, King, Livingston, McKinley, Naudain, Rowan, Smith of Md., Sprague, Tyler, Webster.

Those who voted in the negative are,

Messrs. Adams, Barton, Brown, Chambers, Chase, Dickerson, Dudley, Ellis, Forsyth, Grundy, Iredell, Kane, Noble, Robbins, Ruggles, Sanford, Seymour, Silsbee, Smith of S. C., White, Willey, Woodbury.

The motion, as modified, was then agreed to.

The following message was received from the President of the United States, by Mr. Donaldson, his secretary:

To the Senate of the United States:

GENTLEMEN: I nominate Caleb Cloud to be an assistant surgeon in the Navy of the United States.

ANDREW JACKSON.

MAY 30TH, 1830.

The message was read and considered, by unanimous consent.

Resolved, That the Senate do advise and consent to the appointment of Caleb Cloud, agreeably to the nomination.

On motion by Mr. Foot,

Ordered, That the convention with Denmark and the supplementary article to the Delaware treaty be returned to the President of the United States.

APPENDIX.

Report of a committee of the Senate on the Rules in relation to the confidential executive business.

IN SENATE OF THE UNITED STATES,
March 12, 1830.

Resolved, That a committee be appointed to take into consideration the rules in relation to the confidential proceedings of the Senate in its executive capacity, and to report thereon.

Ordered, That Messrs. Hayne, Webster, Grundy, Bell, and Benton be the committee.

March 24, 1830.

Mr. Hayne submitted the following report:

The select committee to whom the above resolution was referred have had the same under consideration, and respectfully report:

That the rules of the Senate, so far as they are embraced in the resolution, are the 38th, 39th, and 40th, in the following words:

"38. All confidential communications made by the President of the United States to the Senate shall be by the members thereof kept secret; and all treaties which may be laid before the Senate shall also be kept secret until the Senate shall by their resolution take off the injunction of secrecy.

"39. All information or remarks touching or concerning the character or qualifications of any person nominated by the President to office shall be kept secret.

"40. When acting on confidential or executive business the Senate shall be cleared of all persons except the Secretary, the Sergeant-at-Arms, and Doorkeeper, or in his absence the assistant doorkeeper.

From these rules it manifestly appears that the injunction of secrecy imposed on the Senate while acting in its executive capacity embraces:

1st. All confidential communications made by the President of the United States to the Senate.

2d. All treaties which may be laid before the Senate.

3d. All information or remarks touching or concerning the character or qualifications of any persons nominated by the President to office.

Under each of these heads it may be necessary to submit a few observations.

First.—Confidential communications made by the President.

It has been supposed, from the President to the Senate in its executive capacity are confidential; and, indeed, some gentlemen have gone so far as to contend that all the executive proceedings of the Senate

are of this character. This opinion seems to rest entirely upon the practice of acting on executive business with closed doors. But this practice seems to be indispensable to enable the Senate to act without a violation of secrecy in regard to "treaties" and other "confidential communications," the character of which can only be known after they are read and examined.

To prove conclusively that all executive business is not confidential it is only necessary to refer to the rules above quoted, where the business to be considered confidential is specially designated.

The 40th rule, moreover, carefully distinguishes between business "confidential" or merely "executive," when it uses the expression "when acting on confidential or executive business." If all executive business was of course confidential, one of these words would have been omitted.

By the words "confidential communications made by the President," the committee understand communications designated by the Executive as "confidential," and if it has not been the usual practice of the Executive to observe this distinction, no difficulty can arise hereafter, when the views of the Senate on this subject shall be made known.

To show that our Executive magistrates heretofore have not considered all communications made to the Senate in its executive capacity as confidential, it is only necessary to observe that nothing has been more common than to find nominations announced in the public prints on the very day they have been made to the Senate. By considering as confidential only those communications made by the President which shall be marked by him "confidential," the Executive and the Senate will be under equal obligations to keep all such communications secret.

Second.—"Treaties."

The rule provides that "treaties shall be kept secret until the Senate shall by their resolution take off the injunction of secrecy." The obvious propriety of this rule renders comment unnecessary; and though cases may be conceived in which it might be wholly immaterial whether treaties should be openly discussed or not, yet, in laying down a general rule, it is manifest that all proceedings in relation to them ought to be considered as confidential.

The true construction of this rule, and the only safe practice under it, would seem to be to consider everything connected with a treaty as confidential. The fact of its being submitted to the Senate, its terms and provisions and all the proceedings of the Senate in relation to it must be kept secret until the injunction of secrecy shall be removed.

Third.—Information or remarks touching the character or qualifications of persons nominated to office.

This rule is too explicit to admit of a doubt as to the obligation to keep secret everything that may be said by a Senator touching the character or qualifications of persons nominated to office. The object of this rule is to encourage that free and confidential interchange of opinion among the members of the Senate, necessary to a just and enlightened decision on the character and qualifications of candidates for offices. So far this rule embraces "information" given or remarks made, there can be no difficulty. But it may be asked whether any injunction of secrecy is imposed by this rule.

1st. In relation to the fact that an individual has been nominated to any office before the nomination has been acted on.

2d. In relation to the confirmation or rejection of such nomination.

3d. In relation to the state of the vote by which such rejection or confirmation has taken place.

4th. In relation to the votes of individual members of the Senate on such nomination.

That the words of the rule do not impose secrecy in any of the three first-named cases can hardly admit of a doubt, and it seems equally clear that they are not embraced within the reason of the rule. The only point that can be considered at all doubtful is, whether the disclosure of the vote of any individual member of the Senate does not come within the reason of the rule which forbids the disclosure of "the remarks" of any member touching the character and qualifications of any persons nominated by the President. A vote, though not, strictly speaking, a remark, is clearly the expression of an opinion; and if the former ought to be kept secret so ought the latter. On the whole, therefore, the committee are of the opinion that, in addition to keeping secret all remarks on the character and qualifications of persons nominated, the votes of individual members must also be kept secret; though they think that this rule ought not to prevent a gentleman from making known his own individual vote on such nomination, taking care to keep secret the votes of others.

It appears to the committee that the rule as it now stands is not sufficiently comprehensive to embrace remarks touching the character of persons other than those who may be nominated to office. To embrace that object the committee recommend that the 39th rule be so amended as to read as follows: Rule 39. All information or remarks touching or concerning the character, conduct, or qualifications of individuals shall be kept secret.

The effect of removals of the injunction of secrecy alone remains to be considered.

The effect of an unqualified removal of the injunction of secrecy would seem to be to permit the publication of everything now required by the rules to be kept secret. To guard against the disclosure of remarks made by Senators touching the character and qualifications of persons nominated, it has been usual to provide for the removal of the injunction merely from the "proceedings" of the Senate. Where this has been done in relation to appointments, the remarks of Senators have been still considered as secret, but the injunction has been regarded as removed from all the votes given in the case. Where the injunction has been removed from the proceedings in other cases, the members of the Senate have been considered as at liberty even to publish their "remarks," as was done in the case of the Panama mission. On the whole, the committee are of opinion that removals of the injunction of secrecy should hereafter be considered as absolute or qualified according to the terms of the resolution.

To prevent misunderstanding on this subject, the committee recommend:

1st. That all motions for the removal of the injunction of secrecy shall hereafter be submitted in writing.

2d. That under a resolution to remove the injunction of secrecy from the journal of the proceedings nothing shall be made public except what may appear upon the Journal.

3d. That a resolution to remove the injunction from all the proceed-

ings shall be construed to permit the publication of everything except remarks touching the character and qualification of individuals. Under such a resolution the speeches of Senators which may, under the existing rules, be required to be kept secret, and not relating to the character of individuals, may be published.

4. That a resolution to remove the injunction of secrecy so as to permit the publication of the remarks of individuals "touching the character, conduct, or qualifications of individuals" must declare that object in positive terms.